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HISTORY OF THE COUNCILS OF THE CHURCH.

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A HISTORY

OF THE

COUNCILS OF THE CHURCH,

FROM THE ORIGINAL DOCUMENTS.

BY THE

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VOLUME II.

A.D. 326 TO A.D. 429.

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EDITOR'S PREFACE

THIS Translation of what may fairly be called the classical work on the *History of the Councils of the Church* was originally undertaken, with the Author's sanction, by the Rev. W. Clark, Vicar of Taunton, who edited the first volume, and it was only at his urgent request that the present Editor undertook the second. This must be his apology to the public for interposing in a work which they will share his regret that Mr. Clark's engagements did not permit him to continue himself. The former volume comprised Books I. and II. of the German text, with the Appendix on the Apostolical Canons, bringing the History down to the close of the First Œcumenical Council at Nicæa in 325; the present volume carries it on, through the next six Books, to the period immediately preceding the opening of the Third Œcumenical Council at Ephesus in 431. Thanks to the Author's kindness in supplying early copies, the second edition of the original, which had received his latest corrections, has been used throughout.

It will have been matter of sincere regret, though hardly of surprise, to Bishop Hefele's numerous readers to learn, from the Preface to the seventh and last volume of his *Conciliengeschichte*, published about a year ago, that he has brought it to a conclusion with the Councils of Basle and Florence, without including, according to his original design, the Council of Trent. The materials, indeed, are still wanting for a complete history of the latter, notwithstanding the posthumous issue of

Theiner's very important edition of Massarelli's *Acta Concilii Tridentini.*

To return to the present volume. It will be observed that it takes up and completes the record of the Arian Controversy, properly so called. For after the Council of Constantinople, as Dr. Newman has pointed out, "Arianism was formed into a sect exterior to the Catholic Church; and, taking refuge among the Barbarian Invaders of the Empire, is merged among those external enemies of Christianity, whose history cannot be regarded as strictly ecclesiastical."[1] With the Nestorian controversy, which succeeded it, begins that series of heresies on the Incarnation, which occupied the attention of the four next Œcumenical Councils. It can hardly be necessary to remind English readers what a flood of light is thrown on this whole Arian period in Dr. Newman's work, already quoted, and to which occasional reference has been made in the bracketed footnotes, which are here and there appended to the text. In its original form the earliest of the Author's theological works, it has had the rare advantage of undergoing his careful revision nearly forty years after its first appearance; and to all who are interested in tracing the development of Christian doctrine, it will be found simply invaluable as a comment on this portion of Bishop Hefele's great work. It may be added, that the Arian controversy, over and above its historical importance, has a special interest of a practical kind at the present day, when there is so strong a tendency among a class of religionists, not openly professing infidel opinions, to treat all doctrinal questions as "disputes about an iota." It would argue mere ignorance or incapacity to doubt now, with the reflex light of history cast upon it, that what Gibbon calls "the difference of a single diphthong" involved in the fourth century—like the modern assault on the Athanasian Creed—no less a question than the fundamental tenet of the entire

[1] Newman's *Arians of the Fourth Century*, third edition, p. 405.

Christian Revelation, the Divinity of the Son of God. And it is not uninstructive to notice, as we follow Bishop Hefele through the successive phases of the long struggle, how the Arian and Semi-Arian leaders are constantly betraying those characteristics of indifferentism, worldliness, Court intrigue, shuffling, profanity, and fierceness against definite belief, which still too often mark the prophets of that much-coveted but impossible abstraction, an "undogmatic Christianity."

It only remains to add, that the translation has been carefully revised throughout before sending it to press; but it would be sanguine to anticipate that no error, typographical or other, has escaped notice. The present Editor can but repeat Mr. Clark's assurance in issuing the former volume, that he will gratefully avail himself of any corrections that may be transmitted to him. For all *bracketed* notes he is himself exclusively responsible.

H. N. O.

Lent, 1876.

AUTHOR'S PREFACE TO SECOND EDITION OF FIRST VOLUME.

EIGHTEEN years have passed since the first Volume of this *History of the Councils* was originally published. Whatever additional light has, to my knowledge, been thrown on the subject in subsequent publications, I have taken care to avail myself of; and even where no such help was to be found, many improvements and corrections, sometimes enlarging, sometimes abbreviating it, have been introduced into the work. I may specify the alterations in the Introduction and in Sections 2, 6, 13, 37, 51, 71, and 81;[1] as also the great assistance I have derived, as regards the important Synod of Elvira (Sec. 13), from the *Kirchengeschichte Spaniens* of Dr. P. Pius Gams, O.S.B. The general plan, idea, and character of the work remain unchanged. It has been my aim, in contradistinction from what may be called the former fragmentary method of treating the history of Councils, to present each important Synod as a link in the general historical development of the Church, and thereby to make its true significance understood. And thus this *History of the Councils* becomes in many ways very like a history of the Church and of dogmas, which will be no prejudice to it. As in the former edition, so has it here also been my first object everywhere to consult original sources, without forming preconceived opinions, and to state the results derived from a conscientious examination of them. May this

[1] [Of these, Sections 51, 71, and 81 come into the present volume.]

second edition meet the same favourable reception as the first. I readily admit that a searching revision would have been desirable; but in my present position, and where the matter was urgent, this was not possible.

A second edition has just appeared at Edinburgh of an English Translation of this first Volume, as far as the end of the Council of Nicæa, by the Rev. W. Clark, but without the corrections of my second edition being incorporated into it. I have observed at the close of the Introduction that a French Translation of the whole work, down to the end of the eleventh century, has appeared in six octavo volumes. My consent has been asked, and received, for an Italian Translation; but I have heard no more about it since.

ROTTENBURG, *January* 1873.

AUTHOR'S PREFACE TO SECOND VOLUME.

IT is with few words only that I commend this second edition of the second Volume of my *History of the Councils* to the kindness of my readers. It comprises the time from the second to the fifth General Council inclusive, from 381 to 553, being precisely the period of the fullest and most eventful dogmatic development in the history of the Church; and I trust I may have contributed some help towards a clearer insight into this great process. I have therefore given my first and best attention to the Synods of that period which handled dogma; but the many others, with their numerous and often very important ordinances concerning ecclesiastical discipline, worship, and morals, canon law and judicial procedure, have also received due consideration. Every lover of the history of the Church and of civilisation will here find abundant materials for study.

This second Volume comprises about two hundred sections, of which, comparatively speaking, only a few in this new edition have remained without some, if only a slight correction. The most considerable improvements, corrections, and additions have been made in Sections 98, 101, 102, 110, 111, 118, 123, 126, 127, 134, 157, 162, 163, 188, 190, 196, 217, 222, 228, 242;[1] and thus, although here and there something has been erased, the whole work has been enlarged by

[1] [These are comprised in the present volume as far as Section 126 inclusive.]

some twenty-five pages. I have also taken great pains with the improvement of the Index.

So far as they were known to me, and came within my reach, I have made use of new publications on the subject; but in my present position and place of residence, much that has recently appeared may have remained unknown to me.

I can only regret that the completion of the seventh Volume of the *History of the Councils* should have preceded the second edition of the second Volume, and not *vice versâ*. I should otherwise have been able to make use of the second Volume of the *Monumenta Conciliorum Generalium Sæculi XV.* (the first volume had appeared in 1857), published by the Vienna Academy of Sciences, for the history of the Councils of Basle and Florence.

ROTTENBURG, *January* 1875.

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HISTORY OF THE COUNCILS.

BOOK III.

THE TIME BETWEEN THE FIRST ŒCUMENICAL COUNCIL AND THE SYNOD OF SARDICA.

Sec. 45. *The First Period after the Synod of Nicæa.*

IN consequence of the decrees of Nicæa, the Emperor Constantine, as we have seen, exiled Arius and the two Egyptian bishops, Theonas and Secundas, with the priests who adhered to them, to Illyria, and adopted other means for the immediate extermination of Arianism. He ordered the books of Arius and his friends to be burnt, threatened those who concealed them with death, and forbade even the name of Arians.[1] But still the heretical fire was not thereby extinguished; nay, it went on smouldering in secret all the more, when several bishops, above all the highly-esteemed Eusebius of Nicomedia, and Theognis of Nicæa, who, without being thorough-going Arians, still held Subordinationist views, from fear of the Emperor, and as a matter of form only, subscribed the Nicene Creed.[2] This, especially the doctrine of the ὁμοούσιος, had always been regarded by them with suspicion, as injurious to the first of the two ideas, which must be comprehended in the notion of the Person of Christ, *i.e.* Personality and Divinity, by not strictly enough maintaining the personal distinction between the Father and the Son, while the second idea is exaggerated to the Sabellianist identity of the Son with the Father. If a document found in Socrates, of

[1] Cf. *supr.* vol. i. p. 297.

[2] Upon the theological views of Eusebius of Nicomedia, cf. Jahn (Repet in Göttingen), *Marcellus von Ancyra*, 1867, p. 37 sq.

which we shall speak later, may be trusted,[1] these bishops, so-called Eusebians, had not joined in the anathema pronounced against the person of Arius, but accepted the Creed, without admitting that Arius had taught the errors of which he was accused, thus availing themselves of the well-known distinction between *question du fait* and *du droit*.

It would have been wonderful if, in Egypt as well as in Alexandria, where before the Council of Nice Arianism had already taken such deep root, it had not tried to break out afresh. When this happened, and the Emperor, therefore, again banished from Egypt several Alexandrians who had fallen from the Nicene faith, and "relighted the torch of disunion," then (as he himself relates[2]), "Eusebius of Nicomedia and Theognis not only sided with them, and took measures for their safety, but took part in their wickedness, and received them into the communion of the Church," so that Constantine banished them also to a distant country[3] (Gaul). At the same time he accused the Nicomedians of having also joined in Licinius' earlier persecution of the Christians, and intrigued against himself, and ordered the communities of Nicomedia and Nicæa to elect new bishops. Thus Amphion was appointed to Nicomedia, Ehretas to Nicæa.[4]

According to some accounts, Eusebius and Theognis bribed an imperial notary to efface their signatures from the Acts of the Council of Nicæa.[5] Philostorgius says, however, that both they and Bishop Maris of Chalcedon had openly confessed to the Emperor their regret at having subscribed to the Nicene Creed, and thus brought the sentence of banishment upon themselves. This took place three months after the conclusion of the Council of Nicæa, in December 325, or in January of the year following.[6] About the same time, Constantine, in a letter to Theodotus of Laodicea, set before him as a warning the fate of his deposed colleagues, since they had made en-

[1] Socrates, *Hist. Eccl.* i. 14.

[2] Theodoret, *Hist. Eccl.* i. 20, and Gelasius, *Vol. Actorum Concil. Nic.* lib. iii. c. 2, in Mansi, *Coll. Concil.* t. ii. p. 939; and Harduin, *Coll. Conc.* t. i. p. 459.

[3] Philostorg. *Supplem. ex. Niceta*, p. 540, ed. Vales. Morgunt.

[4] Theodoret, *Hist. Eccl.* i. 20.

[5] Sozom. *Hist. Eccl.* ii. 21.

[6] Philostorg. i. 10, p. 469, ed. Vales.

deavours to win him also to their side.[1] Some time later, as hitherto believed on the 23d of the Egyptian month of Pharmuth (*i.e.* April 18, 326[2]), Alexander, Archbishop of Alexandria, died; but a newly-found document[3] states that his death did not take place until the 22d of Pharmuth (*i.e.* April 19 of the year 328). Sozomen relates, on the authority of Apollinaris, that on Alexander's death drawing near, Athanasius fled, in order to avoid being made bishop; but a divine revelation pointed him out to Alexander as his successor, and on his deathbed he uttered his name. Another Athanasius appeared in answer to his call; but Alexander took no heed of him, and again calling Athanasius, said, "Thou hast thought to flee from me, Athanasius, but thou hast not escaped me," —thus marking him, though absent, as his successor. This story is related in substance by Rufinus[4] and Epiphanius[5] also; but the latter adds that Athanasius was absent at that time on business of his bishop's, and therefore had not fled, and that the whole body of the clergy and the faithful subsequently affirmed that Alexander had destined him for his successor. But the Meletians had made use of his absence to place in the vacant see one of their party named Theonas, who, however, died in three months before the return of Athanasius; and a synod of the orthodox at Alexandria now declared Athanasius to be the rightful bishop.

The Arians, on the contrary, maintained that, after the death of Alexander, the orthodox and Meletian bishops of Egypt had on both sides taken a solemn oath to elect the

[1] Gelas. iii. 3.

[2] Renaudot, *Hist. Patriarch* (*Alex.*), 1713, p. 83. Wetzer, *Restitutio Veræ Chronologiæ Rerum ex Controversiis Arianis . . . Exortarum*, Francof. 1827, p. 2.

[3] This document, lately discovered in Egypt, is the introduction in Syriac to the *Paschal Letters* of S. Athanasius, also discovered in Syriac. These were first edited by the Anglican scholar, Cureton, in London, under the title, "*The Festal Letters of Athanasius, discovered in an Ancient Syriac Version*, edited by William Cureton, M.A., F.R.S., Chaplain in Ordinary to the Queen, Assistant-keeper of Manuscripts in the British Museum." A German translation of this newly discovered and important document was edited by Larsow, Professor at the Grey Friars Convent at Berlin, in 1852. An account of it is given by me in the *Tübingen Theologischen Quartalschrift*, 1853, No. 1.

[4] Rufin. *Hist. Eccl.* i. (x.) 14.

[5] Epiph. *Hæres.* 68. 6.

new archbishop, each only with the consent of the other party; but that seven orthodox bishops had broken this pledge, and secretly elected Athanasius.[1] Philostorgius has another improbable story, "That during the vacancy of the see, and the quarrel concerning its occupancy, Athanasius repaired to the church of S. Dionysius, and there, with the doors carefully secured, had himself secretly consecrated by two bishops of his own side. For this reason the remaining bishops had pronounced an anathema against him; but he addressed a letter to the Emperor as if in the name of the whole diocese, and thus craftily obtained the confirmation of his election." This account, which stands at direct variance with all the others, is as little worthy of credit as the other statement of Philostorgius (ii. 1), that Alexander of Alexandria had before his death abandoned the ὁμοούσιος. All these slanders against Athanasius were, however, authoritatively declared to be false, at a great Egyptian synod. Whereupon, the very bishops who had taken part in his election solemnly attested that the desire for Athanasius as bishop was unanimous throughout the whole Catholic community, and that they had not moved from the church until his election had been fully completed, and that Athanasius was at once publicly and solemnly consecrated by a large number of the bishops present.[2] The preface of the newly-discovered *Festal Letters* of S. Athanasius, already cited, adds, that this consecration took place on the 14th of Payni (June 8) 328. Thus the greatest opponent of Arianism became bishop of the city in which that heresy had sprung up.

About the same time, however, a very important and eventful change took place in Constantine's views. The Emperor's former severity towards the Arian heresy, tending to its complete extermination, had so far diminished, that now, though not directly favouring it, he yet showed great favour towards its friends and supporters. According to Sozomen,[3] Con-

[1] Sozom. *Hist. Eccl.* ii. 17.

[2] This testimony of the Synod, contained in an Encyclical Letter, Athanasius brings forward in his *Apologia contra Arianos*, c. 6, p. 101, t. i. P. i. ed. Patav.

[3] Sozom. iii. 19.

stantia, the sister of Constantine, and widow of Licinius, interceded with her brother in behalf of the Arians, on the strength of a professed divine revelation, in which the innocence and orthodoxy of these men had been revealed to her. The accounts of Rufinus (i. 11) and Socrates (i. 25) agree in part with this: "Constantia had an Arian court chaplain who disposed her favourably towards Arius, and assured her of his teacher's innocence." We shall return to this subject presently.

If the letter addressed by Eusebius of Nicomedia, and Theognis, to the other bishops, which Socrates (i. 24) and Sozomen (ii. 16) quote, is genuine, Arius was recalled from exile soon after the Council of Nicæa, and was only forbidden for the present to return to Alexandria. Upon this, Eusebius and Theognis, affirming their orthodoxy in the letter already mentioned, begged the like permission, upon the pretext of the pardon already granted to Arius. The genuineness of this letter is, however, very doubtful, and is, in fact, denied by Tillemont;[1] and this only is certain, that Eusebius and Theognis were recalled in 328, after a five years' banishment, and reinstated in their bishoprics, those who had in the meantime occupied their sees being driven away.[2]

If, however, we give up the genuineness of this letter, and with it the report that Arius was first recalled, it is more probable that Eusebius and Theognis, who were only suspected of Arianism, were allowed to return earlier, and that it was through their friendly influence that the pardon of Arius was obtained.[3] As soon, however, as Eusebius had regained a firm footing, a time of severe trial commenced for the truest upholders of the ὁμοούσιος. The crafty Nicomedian, inwardly leaning to the Arian doctrine of the Logos, was aware that he could not betray his views openly, for the Emperor desired above all things the unity of the Church, and for this very cause had convoked the Council of Nicæa, and therefore no

[1] *Mémoires pour servir a l'Hist. Ecclés.* t. vi. p. 357, ed. Brux. note 8, *Sur le Concile de Nicée.*

[2] Philostorg. ii. 7; Socrat. i. 14.

[3] Rufinus also, i. (x.) 11, fixes the recall of Arius later, and with Sozomen (ii. 27, fin.) connects it with the Synod of Jerusalem in 325, mention of which will be made below. Cf. Tillemont, t. vi. note 9, *Sur les Ariens.*

open attack on this Synod would have been tolerated by him. Eusebius and his friends therefore made their submission to the Council very publicly (hence their recall from banishment), trying at the same time, by all kinds of crafty and secret means, to set aside the ὁμοούσιος which was so entirely opposed to their theological views, and to obtain the victory for their Arian and Subordinationist theology. Eusebius, by his apparent return to the orthodox faith, had not only pacified the Emperor, but pleased him in the highest degree ;[1] and, being related to him,[2] contrived, by his pretended support of Constantine's grand project of entire unity in the Church, to ingratiate himself considerably with him.[3] Thus it was not hard to convince him that Arius and others were at heart orthodox, and would certainly make a satisfactory confession of faith, if only they were recalled from banishment.[4] Should this plan prove successful, and Constantine be satisfied with the acceptance of another Creed instead of the Nicene, the latter would at once be overthrown, and the way paved for introducing Subordinationism into the Church ; while this was taking place, the chief supporters of the strict ὁμοούσιος were, by some other ruse, to be driven out of the Church. It is plain from their actions, and from previous circumstances of which we shall now treat, that such were in reality the plans of the Eusebians, and thus only can Constantine's conduct at the time be in some measure accounted for.

Sec. 46. *Synod of Antioch* (330).

It was especially Eusebius of Nicomedia who, as Socrates[5] reports, raised objections to the lawfulness of the election and consecration of Athanasius, though he should have been the last to do so, after having, contrary to the canons of the

[1] Socrat. i. 23.

[2] That he was related to Julian the Apostate, the cousin of Constantine, has been stated by Ammianus Marcellinus in the 22d book of his history. Cf. Tillemont, t. vi. pp. 108, 321, note 3, *Sur les Ariens.*

[3] Socrat. i. 23.

[4] In this light entirely was it represented to the Emperor, *e.g.* by Constantia's Arian court chaplain, an ally of Eusebius. Socrat. i. 25.

[5] Socrat. i. 23.

Church, left his bishopric, and obtained that of Nicomedia.[1] When this first attack had been repelled by the above-mentioned testimony of the other Egyptian bishops,[2] Eusebius and his friends postponed further measures to a more convenient time, and instead, next directed their weapons against Archbishop Eustathius of Antioch, who had not only occupied one of the first places at the Council of Nicæa, but had also afterwards broken off all communion with the Arians, and had energetically, both in act and in controversial works directed against Eusebius Pamphili, combated Arianizing views, as well as every deviation from the strict Nicene definition of ὁμοούσιος. The latter, the historian and Archbishop of Cæsarea, stood, as to his theological views, between Athanasius and Arius; by some, therefore, he has been declared orthodox; by others, an Arian; so that the dispute concerning his orthodoxy has been carried on to our times.[3] It is certain that Eusebius did not wish to be an Arian, and indeed, according to many of his expressions, he was not one;[4] but in his opinion Athanasius bordered on Sabellianism, and he sought for a middle way between Arianism and Orthodoxy, believing this *via media* to be orthodoxy; and hence it may easily be understood that he might often take the side of his Nicomedian colleague, and join in the persecution of Athanasius, while yet he was undoubtedly further removed from Arianism than the Bishop of Nicomedia. From his standpoint he thought also he had discovered Sabellianism in Eustathius of Antioch; and here the real Eusebians agreed with him,[5] as it was their general policy to charge those who held a less degree of

[1] Athanas. *Apolog.* c. 6; Theodoret, *Hist. Eccl.* i. 19, 20.

[2] Athanas. *Apolog.* c. 6.

[3] Eusebius was held to be orthodox by Socrates, Theodoret, Gelasius of Cyzicus, Bull, Cave (in the Appendix to the *Hist. Lit.*), and Valesius (in the biography of Eusebius, which he prefixed to the *History of the Church* by the latter). He was declared, on the contrary, to be an Arian by Petavius, Baronius, Montfaucon, Clericus, the Ballerini, and others. Even Athanasius, Epiphanius, and Jerome had not a good opinion of him. The true view is given by Möhler, *Athanas.* ii. 36–47; Dorner, *Doctrine of the Person of Christ*, second edition, p. 792 sqq.; Hænell, *De Eusebio Cæs. religionis Christi Defensore*, 1843; Ritter, *Eusebii Cæs. de Divinitate Christi Placita*, Bonnæ 1823–4.

[4] Möhler, *l.c.* pp. 37, 40 sq.

[5] Socrat. i. 23; Sozom. ii. 18; Theodoret, *Hist. Eccl.* i. 21.

difference than they did between the Father and the Son, with denying, like Sabellius, any distinction whatever between them. Theodoret[1] relates that Eusebius of Nicomedia and Theognis of Nicæa travelled together to Jerusalem to pay their homage to the holy places. On their way they had also paid a visit to Bishop Eustathius, and had been received by him with the greatest cordiality. In Palestine, however, they are said to have imparted their plans against Eustathius to Eusebius of Cæsarea (called Pamphili) and other friends, and to have returned in their company to Antioch, where they then made arrangements for holding a synod against Eustathius. Theodoret, however, places this journey to Jerusalem after the elevation of the Bishop of Nicomedia to the see of Constantinople, which only took place about the year 337; and the truth of this relation is thus rendered somewhat doubtful, and we must be satisfied with the accounts given by Sozomen (ii. 18, 19) and by Socrates (i. 24). According to Sozomen especially, who here seems to have right on his side, the disputes already mentioned between Eustathius and Eusebius Pamphili occasioned the convocation of the Synod at Antioch. This took place in the year 330.[2] At this synod, as Socrates says, the Bishop Cyrus of Beræa in particular came forward as the accuser of Eustathius, and charged him with Sabellianism. Theodoret, who is silent on the subject of the first accusation, says concerning a second: "The Eusebians had persuaded and bribed a girl to represent Eustathius as the father of her child, although she could not bring forward any witness, and afterwards herself confessed her deceit."[3] Athanasius mentions a third point of accusation, namely, that Eustathius had been accused of great want of respect towards the Empress's mother;[4] on the other hand, neither he nor Chrysostom, though they frequently speak of Eustathius, ever so much as mention the accusation of incontinence, and the Benedictine editors of the works of S. Athanasius have there-

[1] Theodoret, i. 21.

[2] Wetzer, *Restitutio Veræ Chronologiæ*, etc. pp. 6, 7; Tillemont, t. vii. pp. 11, 298, note, *Sur St. Eustathe.*

[3] Theodoret, *Hist. Eccl.* i. 22.

[4] Athanas. *Historia Arianorum ad Monachos*, c. 4, p. 274, T. i. P. i. ed. Patav.

fore rejected this story of Theodoret's, the more as it looks like a copy of similar accusations against other bishops of that period.[1] However that may be, it is certain that Eustathius was deposed by the Synod, and was sent by the Emperor into exile through Thrace into Illyria, whither many of his faithful clergy followed him.[2] The see of Antioch, from which he had been unlawfully deposed, was first given to Eulalius. After his death, which occurred soon afterwards, it was offered to Eusebius Pamphili; he refused it, however, especially because great disputes had arisen in Antioch among the Eusebian and Nicene parties on account of the deposition of Eustathius. For this the Emperor praised him; but the see of Antioch, after having remained vacant for some time, fell into the hands of the Eusebians, and even of some Arians,[3] till the election of Meletius in 360 or 361 called forth more dissensions even among the orthodox.[4] Tillemont, according to his calculation, thinks it probable that Bishop Asclepas of Gaza was also deposed at this Synod of Antioch, on account of his opposition to the Arians; and this is clearly proved by the two synodal letters of both parties at the Council at Sardica.[5] Theodoret, Socrates, and Sozomen are therefore wrong in stating this event to have taken place at a later time, especially Theodoret, who ascribes it to the Synod of Tyre in 335.[6]

Besides this, the Benedictine editors thought themselves justified in fixing the banishment of the Bishop Eutropius of Hadrianopolis also at the same time. His only crime was, that he had zealously resisted the friends of Arianism, especially Eusebius of Nicomedia, who, with the help of the Princess Basilina, the mother of Julian the Apostate, effected his deposition.[7]

[1] *Vita S. Athanasii*, p. xix., in the first volume of the edit. Patav. *Opp. S. Athanasii.*

[2] Theodoret, Soc., Sozom.; Athanas. *Hist. Arian. ad Monachos*, c. 4.

[3] Theodoret, *Hist. Eccl.* i. 22; Socrat. i. 24.

[4] Cf. my article on the Meletian schism in the *Kirchenlexicon* of Wetzer and Welte, vol. vii. p. 42 sqq.

[5] Hilary, *Fragm.* ii. p. 1287, No. 6; *Fragm.* iii. p. 1314, No. 11, ed. Bened.

[6] Theodoret, *Hist. Eccl.* i. 29; Socrat. ii. 5; Sozom. iii. 8; Tillemont, t. vii. p. 717, ed. Brux., and note 11, *Sur les Ariens.*

[7] Athanas. *Hist. Arian. ad Monachos*, c. 5, and the *Vita S. Athanasii*, in the first volume of the Benedictine edition, p. 20.

Sec. 47. *Arius is to be again received into the Church, and Athanasius to be deposed.*

At this time, or shortly before, Eusebius, in order to gain a wider field for his plans, joined the Meletians in Egypt, though the latter, as recently as at the time of the Council of Nicæa, had stood in direct opposition to the Arians, and their Bishop Acesius had expressly declared the Nicene faith to be that of the apostolic age.[1] After the death of Archbishop Alexander of Alexandria, however, they had again broken the compact agreed upon with them at Nicæa, renewed the schism, and after the death of their master Meletius, placed his friend John Archaph at their head. All this made Eusebius hope to win them over to serve his ends; and they did, in fact, unite in their hatred against Athanasius and the orthodox party of Alexandria;[2] but this closer union at the same time caused the Meletians to fall more and more into the errors of the Arians, and to become at last almost completely identified with them.

After these preparations, Eusebius tried to deal a last blow. Whether or not Arius had been recalled from exile before or only after Eusebius and Theognis,[3] in any case, it is certain that hitherto he had not ventured to return to Alexandria. Eusebius, however, believed that the time had now come that they might venture upon this great step for the destruction of the doctrine of the ὁμοούσιος, and again restore Arius to the communion of the Church. For this purpose he addressed a letter to Athanasius, begging him to receive Arius once more into the Church, and desired the bearers of the letter to add all sorts of threats by word of mouth.[4] Had Athanasius

[1] See vol. i. p. 414.

[2] Athanas. *Apolog. contra Arian.* c. 59; Sozom. ii. 21.

[3] Cf. p. 5 sq. Montfaucon in the *Vita Athanasii*, already so frequently quoted, pp. xviii., xxi., is of opinion that Arius had been allowed to return from exile in 328, but that not until 331 had he been permitted to go to Alexandria. He tries thus to reconcile the statement in the letter of Eusebius and Theognis (Socrat. i. 14) with the relation concerning Constantia's chaplain (Socrat. i. 25), and the statement of Athanasius (*Apolog. c. Arian.* c. 59).

[4] Athanas. *Apolog. contra Arian.* c. 59; Socrat. i. 23; Sozom. ii. 18. The succession of events to be related here has been better given by S. Athanasius than by Socrates and Sozomen; we shall therefore follow the former.

given way, Eusebius would have most easily gained his end; but as the former declared that he could not receive those who had originated false doctrines and had been excommunicated by the Nicene Synod,[1] Eusebius instantly adopted another plan to obtain from the Emperor that which Athanasius had refused. It was, above all, necessary to induce Constantine to grant Arius an audience in person. This mission was entrusted to Constantia's Arian chaplain, who, after the death of that princess (330), and at her urgent desire, had been received by the Emperor into his own retinue, and now represented to him that Arius, in fact, held no other doctrine than that promulgated at Nicæa; and that, if the Emperor would listen to him, it would then be seen that he held the orthodox faith, and that he had been falsely calumniated. Constantine replied, "If Arius signs the Decrees of the Synod, and believes the same, I am ready to see him, and to send him back with honours to Alexandria." But when Arius, possibly on account of illness, did not at once appear, the Emperor, in an autograph letter, dated November 27 (probably 330 or 331), which Socrates has given,[2] invited him to come to him, and Arius immediately appeared at Constantinople, accompanied by his friend Euzotius, formerly a deacon at Alexandria, who had been deposed on account of Arianism by the Archbishop Alexander. The Emperor allowed both to come before him, and demanded of them whether they agreed to the Nicene faith; and on their readily affirming this, he ordered them to send him a written confession of their faith, which they did without delay; and this confession, which was expressly framed to deceive the Emperor, has been preserved to us by Socrates (i. 26). The chief article is thus worded: "And we believe in the Lord Jesus Christ, His Son, God the Word, sprung from Him before all time, and by whom all things were created in heaven and in earth." We see how here the very point at issue, concerning the equality of substance of the Son, has been entirely left out, and how, by the expression born or become, *γεγενημένον*, Arianism is indicated; whilst, at the same time, the Arian *γεγενημένον* may very easily be taken as identical with *γεγεννημένον*, which means

[1] Sozom. ii. 18.

[2] Socrat. i. 25.

begotten, and bears an orthodox meaning. But, in order to make quite sure of deceiving the Emperor, they added at the end: "If we do not believe thus, and do not truly recognise the Father, the Son, and the Holy Ghost, as the whole Catholic Church and the Holy Scriptures teach, so let God be our Judge." They meant that the Arian doctrine of the Logos was that of the Bible and the ancient Church; but the Emperor was to understand this as expressing their agreement with the Nicene doctrine, which he had expressly required of them. And, in fact, they succeeded in deceiving him, especially as his longing for union in the Church had made the recall of Arius appear to him a very desirable event, and Arius had begged for this reunion with the Church through the Emperor at the end of his confession of faith.[1]

There is no doubt that Eusebius afterwards represented the matter to the Emperor, as if all further refusal on the part of Athanasius to receive Arius and his friends again into the communion of the Church could only be contentious obstinacy; and he prevailed upon Constantine to demand of Athanasius, with threats, the reception of all who asked it. The threat at the end of the Emperor's letter has been preserved by Athanasius himself,[2] and is also found in Sozomen. The introductory words are inexact, and seem to treat of the question as concerning the reception of the Meletians; later, however, after the quotation of the fragment of the Emperor's letter, the Arians are distinctly mentioned, and S. Athanasius, who is the best authority in this matter, states that the reception of Arius himself had been the cause of this letter. He, however, succeeded in convincing the Emperor of the impossibility of receiving heretics into the communion of the Church, and therefore this plan of the reinstatement of Arius was given up for the present.[3] The Emperor would not himself decide the question concerning the orthodoxy of

[1] All this has been most circumstantially related by Socrates (i. 25, 26), in part also by Sozom. ii. 27, also by Rufinus, *Hist. Eccl.* i., but more briefly and at an earlier date. Valesius, in his notes on Socrat. i. 25, doubts the truth of the whole account; but Tillemont (t. vi. note 10, *Sur les Ariens*) and Walch, *Ketzerhist.* ii. 489, are probably right in contradicting him.

[2] *Apologia contra Arianos*, c. 59, t. i. P. i. p. 141, ed. Patav.; Soz. ii. 22.

[3] Athanas. *Apolog.* c. 60; Socrat. i. 27; Sozom. ii. 22.

Arius, but left this to a synod. As some years later the Synod of Jerusalem (335) did in fact give such a decision in favour of Arius, Rufinus and Sozomen [1] represented the matter incorrectly, as if Constantine had from the commencement left the decision concerning Arius to the Synod of Jerusalem, so that his recall from exile, too, could only have been first arranged shortly before 335. The attempt, through misuse of the imperial influence, to bring back Arius into the communion of the Church, and thus to inflict a deep wound upon the doctrine of the ὁμοούσιος was defeated by the firmness of S. Athanasius; the latter therefore was now to be crushed with the help of the Meletians. Athanasius in relating this adds, "Now has Eusebius shown why he joined the Meletians." [2] These last Eusebius desired by letter to hunt up causes of complaint against Athanasius; and after many, at first vain endeavours, Ision, Eudæmon, and Callinicus, three Meletian clergy, bethought themselves of the accusation that Athanasius had of his own will introduced an entirely new impost, the supply of linen robes, στιχάρια, for the service of the Church. With this accusation they travelled to the Emperor in Nicomedia; but at that very place there were then two priests of S. Athanasius, Apis and Macarius, who informed the Emperor of the true state of the case, and showed the falsehood of the accusation. They succeeded in convincing him, as Athanasius states (*Apolog. c. Arian.* c. 60), and Constantine at once thought good to desire Athanasius himself to appear before him.[3] As soon as Eusebius learned this, he advised the accusers not to leave the palace; and when Athanasius arrived, they brought forward two new accusations at once; one against Macarius, that he had broken a chalice of the Meletians (of which later), and another against Athanasius, that he supported Philomenus, who was guilty of high treason, with a chest of gold. In consequence of this, Athanasius seems for some time to have been held in a sort of custody, as he shows in his third newly-discovered *Festal Letter*, written before Easter 331.[4] As he neverthe-

[1] Rufin. i. 11; Sozom. ii. 27.
[2] *Apologia contra Arian.* c. 60.
[3] Athanas. *Apolog. contra Arian.* c. 60.
[4] Larsow, *Festal Letters* of S. Athanasius, p. 70.

less shortly succeeded in showing the groundlessness of these accusations also (at Psammathia, a suburb of Nicomedia), he was honourably released by the Emperor; and before Easter 332, from the imperial residence, he addressed a new Paschal Letter to the bishops and priests of Egypt.[1] Besides this, Constantine addressed a lengthy exhortation, preserved by Athanasius, to the Alexandrians, in which he desired them to live in unity, using strong expressions against the Meletians, but conferring upon Athanasius the honourable appellation of "a man of God."[2]

Now for some time Athanasius had peace; but then the Meletians were again bribed with presents to bring forward fresh accusations against him.

In Mareotis, belonging to the bishopric of Alexandria, where otherwise there was no community of Meletians, a layman named Ischyras had falsely pretended to be a priest, and had exercised priestly functions. When Athanasius learnt this upon a visitation tour, he sent the priest Macarius to Ischyras to summon him to appear before him; but Ischyras being at this time ill, Macarius could only entreat his father to restrain his son from such an offence in future. As soon as Ischyras recovered, he fled to the Meletians, and they invented the accusation that Macarius, by order of Athanasius, had broken into the chapel of Ischyras, overthrown his altar, broken his chalice, and burnt the sacred volumes.[3] This affair had already been brought forward when Athanasius was with the Emperor in Psammathia, but without result,[4] probably because Athanasius produced a document written by Ischyras' own hand, in which he confessed the whole deception, and begged to be again received into the Church.[5] Notwithstanding this, the Meletians now again brought up this ground of complaint,

[1] Larsow, *l.c.* pp. 77, 80. In the old preface to these *Festal Letters* (Larsow, p. 27, No. 3) there is a false statement; and what is said of the Festal Letter of 331 (namely, that it was written on his return from the court) belongs to the Festal Letter of the year 332, as is shown by S. Athanasius' own words (*ibid.* pp. 77 and 80).

[2] Athanas. *Apologia contra Arianos*, c. 60, 61; Socrat. i. 27; Sozom. ii. 22; Theodoret, *Hist. Eccl.* i. 26, 27 (inexact).

[3] Athanas. *Apolog. c. Arian.* c. 63; Socrat. i. 27; Sozom. vi. 23.

[4] Athanas. *Apolog. c. Arian.* c. 60.

[5] This writing of Ischyras is to be found in Athanas. i. c. 64. That Ischyras

and joined to it the further accusation that Athanasius had murdered the Bishop Arsenius of Hypsele, who held with the Meletians, and had cut a hand off his dead body in order to work magic therewith. The real author of this lie was the Meletian chief bishop, John Archaph; but Arsenius allowed himself to be bribed to conceal himself in order that the story of his death might be believed, whilst the enemies of Athanasius even displayed openly the hand which they pretended had been cut off, and insisted on carrying their complaint to the Emperor, who commissioned his nephew, the Censor Dalmatius of Antioch, to investigate the charge of murder, and Athanasius was called upon to defend himself. He had not at first thought it worth while to pay any attention to this accusation; but he now found it necessary to set on foot everywhere inquiries for Arsenius, partly through letters, partly through a deacon whom he had especially commissioned for the purpose. It was betrayed to the latter that Arsenius was hidden in the Egyptian monastery of Ptemencyrcis. Before his arrival, the monks had already sent Arsenius on in a small vessel; but the deacon had two of them—the monk Helias, who had accompanied Arsenius in his further flight, and the priest Pinnes, who knew of the whole affair—arrested, and brought before the Governor of Alexandria, where they both confessed that Arsenius was still living.[1] How he was once more found we shall relate later.

Sec. 48. *Synod of Cæsarea in* 334.

While this was going on, and Athanasius was arming himself for his defence, the Eusebians were making every exertion to destroy him, and this was indeed to be accomplished at a Synod at Cæsarea in 334,[2] to which place, as it appears, the

had thus early written this letter, and certainly before the new accusation against Athanasius, presently to be related, is clear from Athanas. *l.c.* c. 65.

[1] Athanas. *Apolog. c. Arian.* c. 65–67; Socrat. i. 27; Sozom. ii. 28.

[2] This Synod must be placed in the year 334, as clearly appears from the preface to the newly-discovered *Festal Letters* of S. Athanasius (p. 28, No. 7), and from Sozomen (ii. 25). In the latter passage the Synod of Tyre in 335 declares that that of Cæsarea had taken place a year before. That of Sardica says the same in the *Epistola Synodica*, published by the Eusebian party (Hilar.

Censor Dalmatius had summoned him. Athanasius declined to appear;[1] but instead, made known to the Emperor all that had taken place, namely, that information respecting Arsenius had been received, at the same time recalling to his memory what he had already heard at Psammathia regarding the story of the chalice. The Emperor, upon this, gave orders to the Censor to put a stop to the investigation; desired Eusebius and his friends, who were already hastening to Cæsarea, to return,[2] and addressed another very honourable letter to Athanasius, in which he openly recognised the deceit practised by the Meletians, and openly exposed the inconsistency with which they had charged, at one time Athanasius, and at another Macarius, with the breaking of the chalice.[3] As soon as it was discovered that Arsenius was still living, the monk Pinnes of the Ptemencyrcis monastery had advised John Archaph to put an end to the attack upon Athanasius.[4] The chief bishop of the Meletians now therefore found it necessary, in order to appease the Emperor, to set forth, in a letter to the latter, his great inclination, professedly at least, for reconciliation with Athanasius, for which Constantine praised him.[5] After a year, however, or a year and a half, the Eusebians, again instigated by the Meletians, ventured on a fresh attack upon him. They had constantly set before the Emperor the necessity of convening a large council for the restoration of peace in the Church, and for the union of the divided parties; and as just now, at the time of Constantine's thirtieth anniversary, the great Church of the Resurrection built by him at Jerusalem was to be consecrated in the presence of many

Oper. Fragm. iii. p. 1311, ed. Benedict. 1693). If, however, Sozomen in the commencement of the chapter already cited, says that from the summons of Athanasius to Cæsarea to his arrival in Tyre thirty months had elapsed, this is not contradictory to the foregoing statement: for (α) the Synod of Cæsarea would certainly have been notified to Athanasius considerably earlier than the time of its commencement; (β) neither did he come at once to Tyre, but some time only after the opening of the Council; and lastly (γ), the thirty months of Sozomen may be partly *numerus rotundus*, and not quite an accurate measure of time.

[1] Sozom. ii. 25, and preface to the Syriac version of the *Festal Letters* of S. Athanasius, p. 28.

[2] Athanas. *Apolog. c. Arian.* c. 65.

[3] This letter is found in Athanas. *l.c.* c. 68.

[4] Athanas. *l.c.* 67.

[5] For the Emperor's letter to John Archaph, see Athanas. *l.c.* c. 70.

bishops, the Eusebians represented to him how glorious it would be if, before the commencement of this solemn act, all the bishops could be united, and the ecclesiastical strife in Egypt be set at rest. This proposition was too closely allied to Constantine's darling plan not to meet with his approval, and he therefore arranged that the bishops should first assemble in Tyre, and then, with united and reconciled hearts, proceed to the great festival at Jerusalem.

Sec. 49. *Synod of Tyre in* 335.[1]

Eusebius states that Constantine himself summoned the Bishops of Egypt, Libya, Asia, and Europe to this Synod; appointed the Consul Dionysius protector; and hastened immediately after the opening of the Council, even before all the bishops had assembled, earnestly to exhort them to unity.[2] Not counting the Egyptians, there appeared altogether about sixty bishops.[3] The Eusebians, nevertheless, had the upper hand: namely, Eusebius of Nicomedia, and Eusebius of Cæsarea, Theognis of Nicæa, Maris of Chalcedon, Macedonius of Mopsuestia, Ursacius of Singidunum, Valens of Murcia, Theodore of Heraclea, Patrophilus of Scythopolis, and others.[4] By the side of these, the few men belonging to no party, such as Maximus of Jerusalem, Alexander of Thessalonica, and Marcellus of Ancyra, could gain no influence.[5] Athanasius at first refused to confide his cause to the Eusebians, because they were his enemies, on account of their heresy;[6] but the Emperor obliged him to appear at the Synod.[7] We may

[1] The preface to the Syriac version of the *Festal Letters* of S. Athanasius, published by Larsow, p. 28, fixes the Synod of Tyre in the year 336, not, as is generally supposed, in 335.

[2] Euseb. *Vita Constantine*, lib. iv. c. 40–42. Printed in the *Collections of Councils* by Mansi, t. ii. p. 1139 sqq., and Hard. t. i. p. 539, where also the other documents referring to the Council of Tyre, which we shall quote singly from their sources, especially from the *Apologia Athanasii*, are conveniently collected.

[3] Socrat. i. 28.

[4] Cf. Athanas. *Apolog. c. Arian.* c. 73, 74, 77.

[5] Athanas. *l.c.* c. 80; Sozom. ii. 33; Rufin. i. (x.) 16.

[6] Athanas. *l.c.* c. 71.

[7] Athanas. *l.c.* c. 72. According to the preface to the Syriac version of the *Festal*

wonder how Constantine, who a year before had judged Athanasius so favourably, should now show him so little kindness. This is, however, partly explained in the following manner:—

Athanasius, after his victory over his opponents, was naturally all the more zealous in his endeavours to bring the whole of Egypt into Church unity, and, in virtue of the Nicene decrees, to recall the rest of the Meletians and Arians into communion. This seemed to be the more possible as the Meletians had formerly promised as much at Nicæa, and the Arians formed as yet no organized sect, with a worship of their own. The hindrances, however, with which he met, especially the obstinacy and malice of individuals, compelled him to adopt severer measures, and to invoke the secular arm against the recusants. That this was the case, is shown by the complaints which many of his opponents, especially Meletians, brought before the Synod of Tyre as to how, through him, that is, by the secular arm at his demand, they were condemned to all sorts of severe punishments, especially imprisonment and corporal chastisement.[1] How greatly, however, Athanasius was provoked to severity by the malice of others, may be shown by the example of the Bishop Callinicus of Pelusium, who, alleging the fable of the unfair election of Athanasius, intrigued so long against his metropolitan, that the latter deposed him, and he then raised a great outcry against the violence and injustice of Athanasius.[2] Such reports, skilfully employed, might well bring S. Athanasius under suspicion of the Emperor, who was, as even his admirer Eusebius allows, very credulous and easily led,[3] as if by his excessive vehemence he was hindering the peace of the Church in Egypt; disturbing the peace being, in the eyes of the Emperor, the greatest offence, as Sozomen says.[4] To this, doubtless, it must be added that the Eusebians also suspected the theology of Athanasius, as though, from their standpoint,

Letters of S. Athanasius (published by Larsow, 1852, p. 28), Athanasius set out on the 17th Epihi (July 11, 336) to travel from Alexandria to Tyre. There is here a mistake of a year. Compare *Tübing. Theol. Quartalschrift*, 1853, No. 1, p. 163 sq.

[1] Sozom. ii. 25.

[2] Sozom. ii. 25.

[3] Euseb. *Vita Const.* iv. 54.

[4] Sozom. ii. 31.

he inclined too nearly to Sabellianism by overstepping the bounds of the Nicene faith, and thereby frightening back the converted Arians, and so proving himself a hindrance to the unity of the Church. Baronius thinks[1] that they had even declared the report that Arsenius still lived to be a falsehood, spread abroad by Athanasius himself. I can, however, find nothing of this. Be this as it may, Athanasius now found himself obliged to go, against his will, to Tyre; but he took with him forty-eight of his suffragan bishops, in order, if possible, to ensure his being able to maintain a numerical equality with the Eusebians.[2] His priest Macarius being again accused of the pretended destruction of the chalice, was brought in chains to Tyre.[3] Ischyras had, as we have seen, made a humble apology to Athanasius; but, notwithstanding, had not been again received into the communion of the Church,[4] and now, in revenge, he once more returned to the attack. To this the Eusebians incited him by the promise of a see.[5]

The parts were well assigned at Tyre; the Meletians were the accusers, the Eusebians were the judges; the presidency was held by the Church historian Eusebius, who had long been embittered against the Egyptians, and especially against Athanasius.[6] As soon as the Egyptian Bishop Potamon, who had lost an eye in the persecution under Maximian, saw Eusebius in the seat of the president, he cried out: "Thou art seated there, Eusebius, and the innocent Athanasius is judged by thee! Who can endure this? Say, wast thou not with me in prison at the time of the persecution? I have lost an eye for the truth's sake, but thou hast not suffered in any part of thy body. How hast thou then thus escaped from prison, if not by wrongful promises or actual deeds?" Thus relates Epiphanius,[7] while Athanasius and others are silent on the point. In any case, it was only a suspicion, and, indeed, a

[1] Baron. *Annal.* ad. ann. 334, n. 4.

[2] Their names are in Athanas. *Apolog. contra Arianos*, c. 78. Later they made this a ground of complaint against him. See below.

[3] Athanas. *l.c.* c. 71. [4] Athanas. *l.c.* c. 74. [5] Athanas. c. 85.

[6] Compare the conclusion of the Egyptian bishops' letter in Athanas. *l.c.* c. 78. Eusebius also plainly shows (*Vita Const.* iv. 41) his own injustice towards the orthodox of Egypt.

[7] Epiph. *Hær.* lxviii. 7.

groundless one of Potamon's; and it is very possible that Epiphanius' whole account is only another and a false version of what Rufinus relates. He says that when the Egyptian Bishop Paphnutius saw Maximus of Jerusalem, who was not an Eusebian, at Tyre, sitting among that party, he cried out: "Thou, O Maximus, who with me in the persecution hast lost an eye, but hast thereby earned the right of heavenly light, I cannot see thee sitting in the assembly of the wicked." This statement of Rufinus is plainly more probable than that of Epiphanius; but that there is a certain connection between the two, is not to be denied.

The Bishop Callinicus of the Meletian party, and the well-known Ischyras, at once came forward against Athanasius.[1] Ischyras again charged him with having broken his chalice, and overthrown his altar,[2] as also with having often thrown him into prison, and slandered him before the Prefect of Egypt. Callinicus, formerly Catholic Bishop of Pelusium, complained that he had been irregularly deposed by Athanasius, because he had refused communion with him until he could clear himself of the affair of the chalice. Again, other Meletian bishops wished to prove themselves ill-used by Athanasius; but they all brought forward the well-known accusation of the irregularity of his election; and a document from Egypt was produced containing the following words: "It is solely the fault of Athanasius that every individual in Egypt has not joined the Church."[3] What Athanasius replied to all this is not known. He himself scarcely touches upon these complaints.[4] Sozomen only says that Athanasius cleared himself on some points at once, while on others he begged for time to enable him to bring forward his proofs.

Hereupon his enemies again raised the story of Arsenius, probably in the hope that Athanasius was not yet able to prove that Arsenius was indeed living.

[1] Sozomen (ii. 28) calls him Ischyrion.

[2] Sozomen (ii. 25) speaks of a bishop's seat instead of an altar; but, in the first place, Ischyras had only assumed the part of priest, and therefore had no bishop's seat in his sacrarium; besides which, Athanasius, in his *Apologia*, which is here the best authority, always speaks of an altar-table (τράπεζα), for instance, c. 74.

[3] Sozom. ii. 25.

[4] Athanas. *l.c.* c. 72.

The latter had even disappeared from their eyes,—they themselves knew not what had become of him, least of all did they guess that he was in the very hands of Athanasius. Without their consent he had gone, out of curiosity, secretly to Tyre, that he might see how matters went at the Synod. Some one, however, had recognised him, and had remarked in a tavern, "Arsenius, who is supposed to be dead, is here, hidden in a certain house." A servant of the Consul Archelaus heard this by chance, and informed his master, who had the fugitive seized. Arsenius tried at first to deny his identity; but he was convicted by Bishop Paul of Tyre, who had long ago known him, and Archelaus now communicated the whole affair to S. Athanasius.[1] Arsenius himself also wrote to Athanasius, and assured him most emphatically of his present renunciation of the Meletian party.[2] Without knowing of this, the Meletians brought the charge of the murder of Arsenius before the Synod, and also did not fail to show the hand which had been cut off in a wooden box. Hereupon Athanasius inquired of several of those present whether they had known Arsenius; and when they replied in the affirmative, he led in the man supposed to be dead, and lifted his mantle, so that both his hands should be seen.[3] The effect which this produced is variously reported. According to Socrates (i. 30), the author of this accusation, John Archaph, fled; according to Theodoret,[4] they accused Athanasius of sorcery; and, lastly, according to Sozomen,[5] they made the lying excuse that "Athanasius had set Arsenius' house on fire and shut him up in it, in order to kill him, but he must nevertheless have escaped

[1] Socrat. i. 29.

[2] Athanas. *Apol. c. Arian.* c. 69. That Arsenius was now first discovered, and that he only now wrote to Athanasius, appears from Socrates i. 29, Theodoret, *Hist. Eccl.* c. i. 30, and from Athanas. *Apolog. c. Arian.* c. 72; while in c. 69 Arsenius' letter to Athanasius is only given by anticipation. Accordingly, the Benedictines (*Vita S. Athan.* p. xxiv. ed. Patav.) have ascribed the discovery and repentance of Arsenius to a too early date, in the year 333; and it is far more likely that the discovery of the lost one was only made shortly before the Synod, so that the opponents of Athanasius knew nothing of it. In Athanas. *Apol. c. Arian.* c. 27, Pope Julius says that afterwards Arsenius was amongst the friends of Athanasius.

[3] Theodoret, *Hist. Eccl.* i. 30; Socrat. i. 29 sq.; Sozom. ii. 25.

[4] Theodoret, *Hist. Eccl.* i. 30. [5] Sozom. ii. 26.

through a window; but, as he had not been seen for so long, they had with good reason concluded that he had really perished on that occasion."

All the old historians before named, however, agree that a great tumult now arose, and that the enemies of Athanasius, instead of being ashamed of themselves, rushed in upon him so violently that he began to fear for his life.

If Rufinus[1] and Theodoret[2] relate the order of events rightly, a complaint on another point was brought forward before that concerning Arsenius. They brought before the Synod a woman who maintained that Athanasius had once, while on a visit to her, surprised her at night unexpectedly, and offered violence to her. He was brought in to answer for himself, and with him his friend, the priest Timothy, who, at Athanasius' suggestion, thus addressed the girl: "Do you certainly maintain that I once lodged in your house, and offered violence to you?" She affirmed it, and thus by this change of persons—for she did not even know Athanasius—were the accusers once more put to shame. It was, however, in vain that Athanasius demanded a further inquiry as to who had persuaded the girl to this deceit; the Eusebians were of opinion that there were far more important points to be investigated.[3] The whole story concerning the girl is, however, by no means satisfactorily authenticated. Not only is Athanasius silent about it, although he could have made use of this circumstance for his own defence, and as a proof of the hatred of the Eusebians; but, moreover, all the synods, both for and against Athanasius, which were held later, when all the old accusations were discussed afresh, do not make the slightest mention of this story. So also is Socrates silent on the point; and the only authority for the story seems to be Rufinus, from whom Theodoret and Sozomen derived it, the latter adding: "In the acts of the Synod no word of the sort is found." The Arian Philostorgius relates something similar, but so far contradictory to Rufinus, that he represents the accusation as coming from Athanasius, and Eusebius of Cæsarea as the accused: he says that Athanasius had induced a girl to accuse Eusebius before the Synod as her

[1] Rufin. i. 27. [2] Theodoret, i. 30. [3] Rufin *l.c.*; Theodoret, *l.c.*

seducer; but it had been shown that she did not even know this man.[1]

From these contradictory accounts of Philostorgius and Rufinus, we may well assume that both are only different versions of one and the same fable. Be this as it may, it is certain that the Eusebians, in order not to give up their point altogether, now insisted with all their might upon further search into the affair of Macarius and Ischyras, and that further inquiries concerning the real state of the case should be made in Ischyras' own country, Mareotis, through a special deputation of the Synod. The Count Dionysius, the imperial protector of the Synod, went over to their side; their intention, however, being, as Athanasius affirms, to intrigue against him in his absence. He himself maintained the whole journey to Mareotis to be unnecessary, as everything was already cleared up on sufficient evidence; but in any case men should be chosen to act in this deputation who were removed from all suspicion of party spirit. The Count Dionysius allowed him to be right on this last point;[2] and it was decided that the members of the synodal deputation should be chosen at a general session. The Eusebians and Meletians, however, did not bind themselves to this, but appointed in an arbitrary and one-sided way exactly the most bitter enemies of Athanasius as deputies, and sought to obtain the subsequent ratification of their step by going round to each one individually.[3] Those chosen were: Theognis of Nicæa, Maris of Chalcedon, Ursacius, Valens, Macedonius, and Theodorus,[4] to whom they gave a military escort, and a letter of recommendation to the Governor of Egypt. They also took with them Ischyras, the accuser of Macarius, leaving the latter in chains at Tyre, plainly showing that they sought witnesses for Ischyras only, and not for the truth. Their chief confidant in Egypt was the Prefect Philagrius, formerly a Christian, who had relapsed into heathenism; and while they rejected the testimony of the Alexandrian and Mareotic priests, even of those who had been eye-witnesses of

[1] Philostorg. ii. 11.

[2] Athanas. *l.c.* c. 72.

[3] Cf. the letter of Bishop Alexander of Thessalonica in Athanas. *l.c.* c. 80, and the letter of the Egyptian bishops, *ib.* c. 77.

[4] See above, p. 17.

the affair of Ischyras, not even allowing these clergy to be present at the trial and verbal process, they listened to the testimony of Jews and heathens, and even of catechumens, who were to speak concerning proceedings in a sanctuary where they were yet never allowed to go. Thus, then, they pretended to have seen things in a place where they could never have been, and accordingly their statements turned out very contradictory.[1]

The clergy of Alexandria and Mareotis protested against a proceeding so contrary to all right, in several letters to the deputation, to the Synod, to the Prefect of Egypt, and to another imperial officer.[2] The priests of Mareotis particularly declared that Ischyras had never been a priest; he had indeed maintained that he had been formerly ordained by Colluthus; but the latter (a somewhat older schismatic of Alexandria)[3] had never been made a bishop himself, and therefore could have ordained no priest. But in any case, Ischyras had been deposed from his assumed priesthood at a synod in presence of Hosius (therefore before the Council of Nicæa), and placed in lay communion. He had never had a church in Mareotis; neither had a chalice been broken, or an altar overthrown, by Athanasius, or by any of his attendants. They, the clergy of Mareotis, were there when Athanasius visited that country; but that which Ischyras brought forward was a lie throughout, as he himself had already confessed. When the synodal deputation came to Mareotis, they had clearly seen the groundlessness of Ischyras' complaint; but Theognis and the other enemies of Athanasius had induced the adherents of Ischyras and other "Ariomanites" (violent admirers of Arius) to make statements of which they could make use. The Prefect Philagrius supported them in this, and by threats and violent treatment had suppressed the truth and encouraged the false testimonies.[4]

At the same time, the Egyptian bishops, who were present at Tyre, openly impeached the Eusebians before the Synod of conspiring against Athanasius, of having chosen the deputation unjustly, etc., and begged the remaining bishops not to make common cause with them.[5] They addressed a letter to

[1] Athanas. *l.c.* c. 72, 83. [2] Athanas. *l.c.* c. 73–75. [3] Cf. *supr.* vol. i. p. 250.
[4] The two letters of the clergy of Mareotis, Athanas. *l.c.* c. 74, 75.
[5] Athanas. *l.c.* c. 77.

the same effect to the Count Dionysius,[1] and desired of him, in a letter written somewhat later, that he should, in consideration of the machinations of their enemies, reserve the decision of this affair for the Emperor. They explained this also to the Synod.[2] Alexander of Thessalonica, one of the most illustrious bishops of the Council, also thought fit to warn Dionysius of the unjust proceedings of the Eusebians, that he might not be led by them into any false step;[3] and Dionysius valued his judgment so highly, that he had urgent injunctions sent to the commissaries who had gone to Mareotis, to act justly.[4]

Athanasius, however, had given up all hope from the Synod of Tyre, and quitted it now, in order by his absence to stop its further proceedings. It was, he said, an acknowledged rule, that whatever was determined by one party alone was invalid.[5] Yet the Eusebians did not look upon themselves as a party, but as judges; and when their deputation returned from Mareotis with their protocols and false statements of the witnesses,[6] the Synod pronounced the deposition of Athanasius, and forbade him to return to Alexandria, that disturbances might not arise there. The Meletian John Archaph and his adherents, as being illegally persecuted by Athanasius, were, on the contrary, again received into the communion of the Church, and restored to their offices; nay, they even made Ischyras himself bishop of his own town in Mareotis (hitherto belonging to the see of Alexandria) as a reward for his help, and induced the Emperor to build a Church for him. They did not communicate their decisions to the Emperor alone, but addressed an encyclical letter to all the bishops to this effect: "They should break off all connection with Athanasius, as he was convicted of several crimes, and by evading any defence by his flight had convicted himself of others. The reasons demanding his condemnation were: firstly, because the year before he had not presented himself before the Synod of

[1] Athanas. *l.c.* c. 78. [2] Athanas. *l.c.* c. 79. [3] Athanas. *l.c.* c. 80.
[4] Letter of Dionysius, Athanas. *l.c.* c. 81. [5] *Apologia c. Arian.* c. 82.
[6] For good reasons the Eusebians did not at all desire their protocols to come before the public, and especially before the eyes of Athanasius, and were very angry when Pope Julius later on imparted to him these acts. Athanas. *Apol. c. Arian.* c. 83.

Cæsarea, but had kept it waiting a long time in vain; secondly, because, having arrived at Tyre with such a large number of bishops, he had caused disturbances in the Council, either not answering the accusations at all, or slandering certain bishops; or when cited, paying no attention. Furthermore, the destruction of a sacred chalice had been clearly proved, as Theognis, Maris, and others, who had been sent on that account to Mareotis, testified."[1]

Sec. 50. *Synod at Jerusalem in* 335.

Scarcely had this taken place when the Emperor desired the bishops to betake themselves immediately to Jerusalem to assist at the consecration of the church already mentioned, to which many other bishops had also been invited.[2] The Church historian Eusebius relates the great solemnities which took place there very circumstantially and with evident pleasure, and takes great pains to place the Synod held on this occasion at Jerusalem on a par with that of Nicæa. It was indeed not an appendix to, but a contradiction of, the Nicene Council; for the Eusebians already ventured to answer affirmatively the question propounded to them by the Emperor, namely, whether the profession of faith by Arius and his friends, handed in some time before, was satisfactory, to decide solemnly to receive the Arians, and to acquaint therewith all bishops and clergy, and especially those of Egypt, that they might take note of it.[3] Athanasius was indeed crushed, and thereby the chief hindrance to that reception, and the Arianizing of the Church, appeared to be got rid of. In order to make the victory more complete, however, a process was also commenced at Jerusalem against Marcellus of Ancyra, who, like Athanasius, had ever been a great

[1] Sozom. ii. 25; Athanas. *Apol. c. Arian.* c. 85. According to Socrates (i. 32), the Synod of Tyre had twice pronounced sentence upon Athanasius; namely, the anathema, immediately after his flight, and the deposition pronounced after the return of the synodal deputation.

[2] Euseb. *Vita Const.* iv. 43 sqq.; Socrat. i. 33; Sozom. ii. 26; Theodoret, i. 31.

[3] Athanas. *Apolog. c. Arian.* c. 84; *de Synodis Arimin. et Seleuc.* c. 21, 22 (t. i. P. ii. p. 586, ed. Patav.); Rufin. i. (x.) 11; Sozom. ii. 27.

opponent of Arianism, and had angered the Eusebians by his protest against the condemnation of Athanasius, as well as by his refusal to take part in the Synod of Jerusalem. But a fresh command of the Emperor, that all the bishops who had been present at Tyre should at once come to Constantinople, obliged further proceedings against him to be postponed until later.[1]

SEC. 51. *Synod of Constantinople in the year* 335. *First exile of Athanasius. Deposition of Marcellus of Ancyra, and death of Arius.*

Athanasius having fled from Tyre, resorted to Constantinople,[2] and presented himself before the Emperor, who was just then riding by. Constantine at first did not recognise him, and when he discovered who he was, would not listen to him at all; so much was he set against the man who had been represented to him as the disturber of peace in Egypt. But Athanasius frankly explained that he wished nothing but that the Emperor should summon before him the bishops from Tyre, that in his presence he might make complaint of the injustice which had been shown him.[3] This appeared reasonable to the

[1] Socrat. i. 36.

[2] According to the preface to the Syriac version of the *Festal Letters* of S. Athanasius (p. 28), he arrived at Constantinople on the 2d of Athyr (October 29) 336, which is another mistake of a year. Cf. above, p. 15, note 2.

[3] Natalis Alexander, in a special dissertation (xxi. to sec. iv. of his *Hist. Eccl.*), endeavoured to show that Athanasius had rightfully appealed to the Emperor, and that generally, in like cases of unjust sentences pronounced by church authorities (thus in legal, not in purely ecclesiastical matters), an appeal to the Emperor could be made (*ab abusu*). Against this the Roman censors raised objections; and Roncaglia wrote a special treatise against the *recursus ab abusu*, which in the later edition of *Natalis Alexander* was appended to the above dissertation. Roncaglia represents the matter as if with Athanasius there was no question of appeal from the sentence of a competent judge, and thus no appeal at all, but only a petition for imperial protection against a party which, through misuse of the imperial favour, had treated him with injustice. Neither was it an appeal, because Athanasius had not even waited for the sentence of the Synod, but had beforehand addressed himself to the Emperor. We add that, in any case, Athanasius did not address himself to the Emperor in order that the latter (namely, the secular judge) should decide, but that the affair might be examined by a fresh Synod, namely, of ecclesiastical judges. It must not either be overlooked, that at Jerusalem not only had the law of the Church with respect

Emperor, and he summoned all the bishops who had been present at Tyre to appear at once at Constantinople. At the same time, he complained bitterly of the divisions in the Church, and boasted, on the other hand, of his own zeal.[1]

The Eusebians were, however, astute enough not to allow all the bishops who had been present at Tyre to go to Constantinople,[2] for many amongst them had not agreed to the proceedings against Athanasius.[3] They intimidated them by representing the Emperor's letter as prophesying no good, and thus it came to pass that many, instead of going to Constantinople, returned to their sees.[4] The Eusebians, therefore, only sent to Constantinople, as before to Mareotis, the leaders of their party: the two Eusebiuses, Theognis, Maris, Patrophilus, Ursacius, and Valens, who brought with them a wholly new accusation against Athanasius—that he had threatened to hinder the yearly importation of corn from Alexandria to Constantinople.[5] Concerning the chalice and Arsenius, they were now entirely silent, as Athanasius himself, and after him Theodoret and Socrates maintain; while Sozomen maintains that they again brought up the subject of the chalice, and that the Emperor credited it. However that may be, it is certain that the Emperor exiled Athanasius, without hearing his further defence, to Trèves in Gaul at the end of the year 335, as is generally supposed, or, as says the preface to the Syriac version of the *Festal Letters* of S. Athanasius,[6] on the 10th Athyr (November 6) 336; and this, in truth, as Athanasius himself states, because the point concerning the importation of corn had angered him exceedingly. The Egyptian bishops add that Athanasius sought to represent to the Emperor that it would have been impossible for him to hinder the im-

to Athanasius been violated, but also the natural law, according to which no man may be judged by his enemies.

[1] Athanas. *l.c.* c. 66; Sozom. ii. 28. That Constantine was, nevertheless, not displeased with the Synod of Tyre, is seen from the praise which he soon after bestowed upon it, when the Alexandrians desired the return of Athanasius. Sozom. ii. 31.

[2] Athanas. *Apolog. c. Arian.* c. 87. Cf. the conclusion of Sozom. ii. 25.

[4] Socrat. i. 35; Sozom. ii. 28.

[5] Socrat. i. 35; Athanas. *Apolog c. Arian.* c. 87; Theodoret, *Hist. Eccl.* i. 31.

[6] Larsow, p. 28.

portation of corn, but that Eusebius of Nicomedia contradicted him, pointing out his wealth and great influence.[1] Sozomen remarks on this, not without a keen appreciation of the whole mental attitude of the Emperor towards Arianism, that Constantine also thought there could be no better means to restore the peace of the Church than the banishment of Athanasius. That the Emperor only meant to withdraw Athanasius from his enemies, and that the punishment therefore was not really intended, was afterwards asserted by Constantine the younger,[2] but probably only in order to shield his father's memory. Yet Athanasius himself afterwards appears to have in some degree credited this assertion.[3] For the rest, the Emperor rejected the demand of the Eusebians that another bishop should be chosen for Alexandria, and his son, Constantine the younger, residing at Trèves, received the exile kindly, and provided him with all necessaries.[4]

The Eusebian bishops, however, who had come to Constantinople held a synod in that place, at which they again brought forward the affair of Marcellus of Ancyra, accusing him of disrespect to the Emperor, in not having appeared at the consecration of the church in Jerusalem, as well as of heresy. Marcellus had attempted to defend the orthodox doctrine against the Arian sophist Asterius of Cappadocia,[5] and, at the same time, against the Eusebians; but in this he was so unfortunate, that he afforded his adversaries an opportunity for an accusation of heterodoxy. Although Marcellus, like Athanasius, now addressed himself to the Emperor, and gave him the work in question, with the request that he would read and examine it himself, the Synod deposed him, and desired all the bishops in his province (Galatia) to destroy the book.[6]

It is difficult to pass a decided judgment upon Marcellus. As we shall see by and by, the Synod of Sardica declared him to have been unjustly deposed, and restored him to his see.

[1] Athanas. *Apolog. c. Arian.* c. 9. [2] Athanas. *Apolog. c. Arian.* c. 87.

[3] Athanas. *Historia Arian. ad Monachos*, c. 50.

[4] Athanas. *Historia Arian. l.c.*, and *Apologia c. Arian.* c. 29, 87.

[5] Concerning Asterius, and the treatise of Marcellus against him, cf. Jahn, *Marcellus of Ancyra*, pp. 38–46 and p. 49 sqq.

[6] Socrat. i. 36; Sozom. ii. 33; Tillemont, *l.c.* t. vii. tit. *Marcel. d'Ancyre.*

Athanasius and Bishop Julius of Rome were also at that time on his side. But later on, the opinions of the greater number changed, especially after Marcellus' pupil, Bishop Photinus of Sirmium, had been convicted of heresy; and then, even Athanasius, when questioned by Epiphanius as to the orthodoxy of Marcellus, would express no decided opinion.[1] Indeed, if Hilary is correct, Athanasius had already, before the year 349, shut out Marcellus from the communion of the Church.[2] Other Fathers of the Church judged him still more severely, especially Hilary himself, Basil the Great, and Chrysostom, as also the greater number of the later authorities, Petavius[3] in particular. Tillemont is also more against than for Marcellus; and Baronius does not venture at least to decide in his favour.[4] On the other hand, Natalis Alexander,[5] and Bernard Montfaucon,[6] and lately also Möhler,[7] have sought to defend the orthodoxy of Marcellus, allowing him to be faulty in expression; while Dorner[8] and Döllinger,[9] on the other hand, felt themselves obliged to judge him more unfavourably. A right judgment concerning Marcellus of Ancyra is so difficult on this account, because his own treatise against Asterius has been lost, and we only possess fragments of it in the two refutations of Eusebius of Cæsarea,[10] who not seldom misrepresented the intention and sense of the writer. Also words used by Eusebius have often been taken for those of Marcellus. All these fragments, collected by Rettberg in 1794, under the title of *Marcelliana*, form the chief source for judging of the peculiar teaching of this extraordinary and much tried man; and, through careful use of these authorities, Theodore Zahn of Göttingen, in his work on Marcellus of Ancyra, a contribution to the history of theology (Gotha

[1] Epiph. *Hæres.* 72, h.
[2] Hilarii *Fragm.* ii. n. 21, p. 1299, ed. Bened.
[3] Petav. *Dogm. Theol.* t. ii. lib. i. c. 13.
[4] Baron. *Annal.* ad ann. 347, n. 55, 61.
[5] Natalis Alexander, sec. iv. *Diss.* 30.
[6] *Collectio nova Patrum*, t. ii. p. 51, printed in Vogt. *Bibl. Hist. Hæresiol.* t. i. p. 293.
[7] Athanas. ii. 22 sqq.
[8] Dorner, *Doctrine of the Person of Christ*, second edition, p. 864 sqq.
[9] Hippolytus, etc., p. 217.
[10] *Adv. Marcell.* lib. ii., and *De Eccles. Theologia*, lib. iii.

1867), has lately arrived at very noteworthy results.[1] According to this, Marcellus was a great phenomenon, rather in the history of theology than in the development of dogma, and while holding fast the chief points of the Nicene faith, thought it unnecessary to consider its formula as binding. The whole theological controversy of his day appeared to him a consequence of the unhappy mixture of philosophical ideas with the teaching of the Scriptures, and that it was necessary to return to the latter to find out the truth. But, in most passages of the Bible, only the relation of the Incarnate Word to the Father had been intimated, whilst the introduction to the Gospel of S. John was the chief foundation for the recognition of the eternal relation of the Logos to God, and His pre-existence. He considered the expression "begotten," so frequently used by the theologians of both parties, as especially unhappy and confusing; and was of opinion that to admit this word made Subordinationism or Arianism unavoidable. The being begotten must always be a sort of becoming, of taking a beginning (as the Arians said); but the idea of becoming contradicted the eternity of the Logos, so distinctly proclaimed by S. John. An eternal generation, as stated by Athanasius and others, was to him unimaginable; and he therefore most distinctly affirmed the Logos in His pre-existence to be unbegotten (in contradiction to the statement of the Nicene Creed); therefore, again, the Logos in His pre-existence could not be called Son, but only the Logos invested with human nature was Son of God, and begotten. And so also the eternal Logos could not be called the Image of God, for an image must be something which assumes a visible form; therefore this could only be the Incarnate Son, born of the Virgin Mary. So when Marcellus, in speaking of the Logos, uses the expressions δυνάμει and ἐνεργείᾳ, he designates by the latter (ἐν ἐνεργείᾳ εἶναι) the being of the Logos as a working world-creating power, the ἐνέργεια δραστική; but whilst the Logos thus, as it were, comes forth from God, and works externally, yet is not God without the Logos, but the Logos through all this remains united with God, inasmuch as he is δύναμις, that is to

[1] Somewhat older and less detailed are the *Monographies on Marcellus of Ancyra*, by Klose (Hamburg 1837, and Wittenberg 1859).

say, the power resting in God, the capacity whereby He operates as ἐνέργεια δραστική. The Logos is at once a power resting in God, and, outwardly working, is in and with God (πρὸς τὸν θεόν). Thus Marcellus seemed to divide the Logos into a Logos remaining in God and one coming forth from God, who not until the end of the history of the world, in so far as He has remained in God, returns to Himself,—a separation of the divine nature which constitutes the personality of Christ into two subjects, of which the one is finite, while the other carries on the absolute life.[1] One sees that this doctrine is different from Sabellianism, and Marcellus expressly declared himself against Sabellius; but his enemies, especially Eusebius of Cæsarea,[2] chose to discover in it a resemblance to Sabellianism.

An accusation against Marcellus, in appearance quite contradictory to this, had been raised by the bishops at the Synod of Constantinople in 335, accusing him, as Socrates[3] and Sozomen say, of Samosatenism, that is, of the erroneous doctrine of Paul of Samosata. Neither was this without a certain plausibility. Although fundamentally differing from Paul of Samosata, yet neither does Marcellus present the idea of a true God-Man, but sees in the miraculously born Jesus a man in whom the Logos, the ἐνέργεια δραστικὴ of God, dwells. This Logos unites Himself with man, is a continual working of God upon man. It is true that Marcellus would have his God-Man differ from all other creatures, for he says: "The divine ἐνέργεια dwells with other men, upon whom it works externally; with Christ, however, it dwells in Himself inwardly." But neither in this way was the idea of the God-Man realized. Thus Marcellus, to a certain extent like Paul of Samosata, makes Christ a man in whom God dwells.

As soon as Athanasius had been put down, Arius was to be again formally and solemnly received into the Church, and he was already travelling for this purpose from the Synod of Jerusalem to Alexandria.[4] The present vacancy in the see of

[1] Zahn, *ut supr.* p. 318.
[2] See a comparison between Marcellus and Sabellius in Zahn, *l.c.* p. 215.
[3] Socrat. i. 36; Sozom. ii. 32.
[4] Socrat. i. 37; Sozom. ii. 29.

that city increased his hopes; but the people were so displeased at his arrival, as also at the banishment of Athanasius, that great disturbances arose. The Emperor on this account recalled Arius to Constantinople; either, as Socrates[1] says, in order to call him to account for the scenes in Alexandria, or because the Eusebians had planned to effect the reception of the heretic in Constantinople. And as the bishop of that see, Alexander, did not in any way incline to their wishes, they so managed that Constantine again summoned Arius before him, examined him once more concerning his faith, and again made him sign an orthodox formula. Athanasius, whose letter, *De Morte Arii ad Serapionem*,[2] is here our chief source of information, relates that Arius swore that the doctrine on account of which he had been excommunicated for more than ten years by Bishop Alexander of Alexandria was not his, but that the Emperor said at the dismissal of Arius: "If thy faith be the true one, thou hast sworn well; but if it be false, so let God judge thee on account of thine oath."[3] Thereupon Constantine, pressed by the Eusebians, gave the Bishop of Constantinople the order to receive Arius into the communion of the Church; and the Eusebians threatened the bishop with deposition and exile if he made opposition, and declared that they would on the next day (it was then Saturday), whether he willed it or not, solemnize divine service with Arius. Bishop Alexander knew of no other help in this distress than prayer: he repaired to the church of S. Irene, and thus prayed to God: "O let me die before Arius comes into the Church; but if Thou wilt have pity on Thy Church, prevent this crime, that heresy may not enter the Church together with Arius." A few hours later, on the evening of the same Saturday, Arius went with a great escort through the city;[4] when he was

[1] Socrat. i. 37.

[2] Athanas. *Opp.* t. i. p. 269 sqq. ed. Patav. Athanasius was indeed in Trèves when these things took place, and Arius died; but his priest Macarius was just then in Constantinople, and he relies on his statements. Athanasius gives a shorter account of the death of Arius in his *Ep. ad Episcopos Ægypti et Libyæ*, c. 19.

[3] Athanas. *de Morte Arii*, c. 2.

[4] So says Athanasius in his *Epist. ad Episcopos Ægypti et Libyæ*, c. 19, t. i. P. i. p. 229, ed. Patav. So also Sozom. ii. 29. According to Rufinus, i. (x.) 12 and 13, on the contrary, Arius died on Sunday morning.

come near to Constantine's forum, he had to retire into a privy to relieve nature, and died there suddenly from the gushing out of his bowels, in the year 336.[1] Very many looked upon his death as a punishment from heaven;[2] and even in the mind of the Emperor a suspicion arose that Arius had really been a heretic, and had perjured himself, and had therefore come to such an end.[3] Indeed, as Socrates[4] says, he considered the shocking death of Arius as a direct confirmation of the Nicene faith.[5] Athanasius further relates that after this incident very many Arians became converted, while others sought to spread the belief that Arius had been killed by the magical art of his enemies, or, as some said, that the excessive joy at his victory had occasioned his death.[6] The place, however, where Arius died was long shown with horror in Constantinople, till eventually a rich Arian bought the building from the government, and raised another on the same spot.[7]

While Athanasius was in exile at Trèves, the faithful people in Alexandria offered up prayers for the return of their beloved bishop; and the renowned patriarch of monachism, Antony, wrote often on this subject to the Emperor, who held him personally in great esteem. Constantine, nevertheless, did not allow himself to be moved, but bitterly blamed the Alexandrians, and ordered the clergy and holy virgins henceforth to keep quiet, and declared that he would certainly not recall Athanasius, an unruly man, and under sentence of condemnation by the Church. But to S. Antony he wrote that it was incredible that so many excellent and wise bishops could

[1] Athanas. *de Morte Arii*, c. 2, 3; Socrat. i. 37, 38; Sozom. ii. 29, 30; Theodoret, *Hist. Eccl.* i. 14; Rufin. i. (x.) 13; cf. Tillemont, t. vi. p. 126, ed. Brux.; Walch, *Ketzerhist.* ii. 500 sqq.

[2] Athanas. *l.c.* c. 4.

[3] Athanas. *Ep. ad Episc. Ægypti*, etc., c. 19; *Hist. Arian. ad Monachos*, c. 51.

[4] Socrat. i. 38.

[5] Yet, even by all this the Emperor's eyes were not fully opened, and he neither recognised the innocence of Athanasius nor the real plans of the Eusebians, whose orthodoxy and zeal for the peace of the Church he no longer doubted (Tillemont, t. vi. p. 127, ed. Brux.).

[6] Athanas. *de Morte Arii*, c. 4; Sozom. ii. 29.

[7] Sozom. ii. 30; Socrat. i. 38. [See on this whole subject Newman's essay on the death of Arius, in *Essays on Scripture and Ecclesiastical Miracles*, Pickering 1870.]

have given a wrong sentence; Athanasius was violent and haughty, and was bearing the punishment of his quarrels and dissensions. Sozomen, who relates this,[1] adds, "that the enemies of S. Athanasius had reproached him with this especially, because they knew that disturbance of the peace was the greatest crime in the eyes of the Emperor."

Because, however, one party in Alexandria held with Athanasius, and the other with the head of the Meletians, John Archaph, who seemed to be fostering this division and making capital out of it in order to get himself made Bishop of Alexandria, Constantine banished him also, in spite of all petitions and excuses,[2] and would by no means suffer any one party to separate itself from the universal Church, and to form a separate sect with a distinct worship. Thus it came to pass, that even the Arians in Alexandria, as elsewhere, had not outwardly separated from the Church.[3]

The same sentence of banishment fell also about this time upon the orthodox Bishop Paul of Constantinople, who had a short time before become the successor of the aged Alexander. The local Arian party had desired to have the priest Macedonius (afterwards head of the Pneumatomachi) in his place, and they succeeded in setting the Emperor against the new bishop, so that he exiled him to Pontus.[4] From Sozomen we learn that a chief point of complaint against him had been that he had been appointed without the consent and co-operation of Eusebius of Nicomedia and Theodore of Heraclea in Thrace, who claimed the right of ordaining the Bishop of Byzantium.[5] He had also been falsely accused of leading an immoral life. But Socrates and Sozomen are mistaken in ascribing the original banishment of Paul to the next Emperor, thus confounding his first and second exile. Athanasius, who is the best authority, relates the facts quite clearly.[6]

[1] Sozom. ii. 31.

[2] Sozom. ii. 31.

[3] Sozom. ii. 32.

[4] Socrat. ii. 6, 7; Sozom. iii. 3, 4.

[5] Valesius remarks on this passage that only the Bishop of Heraclea, and in no wise the Bishop of Nicomedia, had had metropolitan rights over Constantinople so long as it was not raised into a patriarchate.

[6] *Historia Arianor. ad Monachos*, c. 7.

Sec. 52. *Constantine's Baptism and Death, etc. Return of Athanasius from his First Exile.*

Soon after this Constantine fell ill. He had felt unwell since Easter 337. At first he tried the baths of Nicomedia, and then the warm springs of Drepanum, which he had named Helenopolis in honour of his mother, and where he now received the laying on of hands as a catechumen.[1] From thence he was taken to the villa Ancyrona, in the suburbs of Nicomedia, whither he also summoned a number of bishops that he might receive holy baptism. He had hitherto put off this, according to the use or rather abuse of that age, especially, as he declares, because he desired to be baptized in the Jordan.[2] The bishops now performed the sacred rite, and Constantine received the sacrament with great piety. From that time he no longer assumed the robes of state, but prepared himself earnestly for a happy end.

Jerome, in his *Chronicle*, says, and no doubt rightly, that of the several bishops present at the ceremony, it was Eusebius of Nicomedia who actually baptized him, for the Emperor certainly lived in the diocese of Nicomedia, and it was only in accordance with ecclesiastical order that the bishop of the diocese should perform the sacred rite; but what Jerome infers from this is manifestly wrong, namely, that Constantine had thereby become implicated in the Arian heresy. As we have already seen, since the recall of Bishop Eusebius from exile, the Emperor no longer suspected him of Arianism. The orthodox confession which the former had made had set him entirely at rest on this point. Nay, he even thought he might regard Eusebius as a zealous promoter of the restoration of Church unity. Neither can the exile of Athanasius nor the reception of Arius testify against the Emperor's orthodoxy; for Constantine, as it is known, expressly demanded of Arius and his friends the orthodox confession, and their consent to the Nicene faith, as whose zealous champion he ever busied himself. For this reason Arius could only through falsehood and equivocation succeed in deceiving the Emperor as to his

[1] Compare our remark upon the thirty-ninth canon of Elvira, vol. i. p. 152 sq.
[2] Euseb. *Vita Const.* iv. 62.

orthodoxy, and therefore Walch rightly says, "What had been done by the Emperor in favour of Arius had been done because he was deceived, not in the question as to what faith was true, but as to what faith Arius held." [1]

In all his measures against Athanasius, however, Constantine had never in any way called in question the orthodoxy of the man, which would surely have been the case had he himself inclined towards Arianism; but then Athanasius had been represented to him as a disturber of peace, and it was for this reason that he was so much out of favour with him. Lastly, it must not be overlooked that, excepting Jerome, all the Fathers, and especially Athanasius himself, always speak most honourably of the Emperor Constantine, and entertain no doubts of his orthodoxy.[2]

Moreover, in course of time Constantine even took a more favourable view of Athanasius, and shortly before his own death he decided upon his recall.[3] Theodoret adds that he gave this order in the presence of Eusebius of Nicomedia, and in spite of the latter's dissuasion.[4] But the Emperor's own son, Constantine the younger, probably gives the most accurate account when he says, in the letter which he gave to Athanasius to take with him to Alexandria, that his father had already decided to reinstate Athanasius, but that death had prevented his doing so, and that he now therefore considered the execution of this design as a duty devolved upon him by his father.[5]

The actual recall of Athanasius, however, did not take place till a year later, probably because political affairs caused so much delay. Constantine had left a will which, as none of his sons were present, he had given to a trustworthy priest, commissioning him to deliver it to his second son, Constantius, who was to be summoned thither immediately. This might have been because Constantius was just then nearer Nicomedia than the others, or because the Emperor placed especial con-

[1] Walch, *Ketzerhist.* ii. 513.

[2] Tillemont, *Hist. des Empereurs*, t. iv. p. 267, ed. Venise 1732. The great difference made by Athanasius between Constantine the Great and his son Constantius appears from his *Hist. Arian. ad Monachos*, c. 50.

[3] Sozom. iii. 2.

[4] Theodoret, *Hist. Eccl.* i. 32.

[5] Athanas. *Apol. c. Arian.* c. 87.

fidence in him, and made him, so to speak, executor, as Julian the Apostate states.[1] This will contained the confirmation of an arrangement already made in 335,[2] by which the eldest son, Constantine, was to receive Gaul, Spain, and Britain; Constantius, the eastern countries; Constans, Italy and Africa; and of the Emperor's two nephews, Dalmatius and Annibalianus (sons of his brother, Dalmatius Annibalianus), the former was to receive Thrace, Macedonia, Illyria, and Achaia; the latter, who was also Constantine's son-in-law, Pontus and the neighbouring countries.

Hardly had Constantine the Great's death taken place, on Whitsunday, May 22, 337,[3] and his interment in the Church of the Apostles, where his body[4] had to be laid, when his two nephews, as well as his younger brother, Julius Constantius, father of the Apostate, with other relatives and illustrious men, were murdered.[5] The suspicion of this bloodshed rests upon Constantius; and Philostorgius seeks to excuse the deed only by stating, what is indeed very incredible, that Constantine the Great had in his will ordered these executions, because those relations had given him poison, and thus brought about his death.[6]

After such events Constantine's three sons found it necessary to arrange a fresh division of the kingdom at a personal interview; and indeed, according to the later Greek authors, they are said to have come to such an agreement first in Constantinople, in September 337.[7] It is certain that in the following year, 338, they assembled for this purpose also at Pannonia.[8] That at one of these meetings they also decided upon the recall of all the exiled bishops, appears from a statement of S. Athanasius, who says:[9] "The three Emperors,

[1] See Tillemont, *Hist. des Empereurs, l.c.* p. 268; Socrat. i. 39; Sozom. ii. 34; Rufin. i. (x.) 11.

[2] Sozom. ii. 34; Socrat. i. 39.

[3] According to the preface to the newly-discovered *Festal Letters* of S. Athanasius (p. 29), Constantine died on the 27th Pachon (May 22) 338. Compare above, p. 17, note 7.

[4] Euseb. *Vita Const.* iv. 64, 66.

[5] Tillemont, *Hist. des Emp. l.c.* p. 312 sq.

[6] Philostorg. *Hist. Eccl.* epitome ii. 16.

[7] Tillemont, *Hist. des Emp. l.c.* p. 337. [8] Tillemont, *l.c.* pp. 317, 667.

[9] Athanas. *Historia Arianorum ad Monachos*, c. 8.

Constantine, Constantius, and Constans, had, after the death of their father, recalled all the banished from exile, and had given to each of these bishops a letter to his diocese; thus Constantine the younger gave one to Athanasius (the letter before mentioned) to the Alexandrians." Philostorgius[1] says the same: "After the death of Constantine all the exiled had received permission to return." This again refers to the meeting and general decision of the Emperors. Epiphanius also agrees with this in its chief points, when he writes:[2] "Athanasius had received permission to return from both Emperors, Constantine the younger and Constans, with the consent of Constantius, who was just then staying at Antioch."

As that meeting at Pannonia took place in the summer of 338, so the release of Athanasius from Trèves came at the same time, and it agrees admirably with Theodoret's statement,[3] that Athanasius had passed two years and four months at Trèves. If he was exiled, as we must assume, at the end of the year 335,[4] he could only have arrived at Trèves in 336; but two years and four months from that time bring us to the summer or autumn of 338. We find the dates more accurate in the preface to the newly-discovered *Festal Letters* of S. Athanasius, where his arrival in Gaul is fixed on the 10th Athyr (November 6) 336, and his return to Alexandria on the 27th Athyr (November 23) 338. The tenth and eleventh of the newly-found *Festal Letters* entirely agree with this, as the first was written for Easter 338, while Athanasius was still away, but already looking for a speedy return; whilst the other, for Easter 339, was written after his return to Alexandria.[5]

Chronological doubts concerning this can now only arise from the date and heading of the letter from Constantine the younger to the Alexandrians,[6] which is dated June 17, while in the heading Constantine the younger still calls himself Cæsar. Now, as the sons of Constantine the Great took

[1] Philostorg. ii. 18. [2] Epiph. *Hær.* 68–9. [3] Theodoret, ii. 1.

[4] Pagi fixes it only in the year 336. *Critica in Annales Baron.* ad. ann. 336, n. 4.

[5] Compare Larsow, *Festal Letters* of S. Athanasius, p. 28; No. 8, p. 29; No. 10, pp. 104, 105, 106, 108, 112, 114 sqq.

[6] Found in Athanas. *Apol. c. Arian.* c. 87; Theodoret, ii. 2; Socrat. ii. 3; Sozom. iii. 2.

the title of Augustus[1] on the 9th of September 337, it was concluded[2] that the letter signed with the title of Cæsar must have been written before that event, and that the date of June 17 there given must have been in the year 337. According to this, Constantine the younger would have sent Athanasius back to Alexandria one year earlier than we assumed above.

(*a*) But, firstly, the news of the Emperor's death at Nicomedia, on May 22, 337, could hardly have been received at Trèves by June 17 of the same year, as we may well believe, considering the imperfect state of the roads and means of communication at that time, and the immense distance between Nicomedia and Trèves.

(*b*) Egypt was part of Constantius' empire, and one cannot understand how Constantine the younger should have been able to send S. Athanasius back to Alexandria without any reference to, or negotiation with, his brother; but such reference was not possible by June 17, 337.

(*c*) If Athanasius had been already released from Trèves in June 337, then his sojourn there would only have lasted one year and four months, and not two years and four months, as Theodoret[3] particularly says.

(*d*) Pagi[4] had already disposed of the difficulty about the title of Cæsar, by the remark that other Augustuses also, when writing to the subjects of a colleague, used the title of Cæsar, and not that of Augustus, as did Licinius, for example, in an edict referring to Africa of the year 314, although, as is known, he had already for several years been Augustus. Africa did not belong to Licinius' part of the empire, but to that of Constantine the Great. Pagi adds several examples of this kind; but Montfaucon shows[5] that letters of other Augustuses also are not signed with the title Augustus, and that sometimes, too, the title of Cæsar was used together with that of Augustus. For instance, in the edict of Constantine the Great in Theodoret,[6] there is neither Augustus nor Cæsar; but in the decree

[1] Tillemont, *Hist. des Emp. l.c.* p. 312.

[2] Especially by Valesius in his *Observat. in Socratem et Sozom.* lib. i. c. 1, in the appendix to his edition of the *Hist. Eccl.* of Socrates and Sozomen.

[3] Theodoret, ii. 1.

[4] Pagi, ad ann. 338. 3.

[5] *Vita Athanasii*, p. xxxv. in the first volume of the *Opp. S. Athanas.* ed. Patav.

[6] Theodoret, *Hist. Eccl.* i. 17.

of Maximin in Eusebius,[1] the title of Cæsar is first mentioned, and that of Augustus only somewhat later.

Now Tillemont is of opinion[2] that Constantine the younger had despatched the letter from Trèves before his departure for Pannonia,—I may add, perhaps, after the three Emperors had discussed this point at their first conference at Constantinople, —and that he forthwith took Athanasius with him to Pannonia to introduce him to Constantius, in whose empire he was to occupy so important a position in the Church. We do, in fact, now find Athanasius at Viminacium, a town of Mœsia near Pannonia, where he was for the first time presented to the Emperor,[3] who was at Viminacium in June 338, as is shown by a law then issued by him from that place;[4] and it entirely agrees with the chronological order before given, if we assume that Athanasius was first presented to him there in July 338. Athanasius afterwards travelled to Constantinople, where he met the Bishop Paul, who, like himself, had been shortly before recalled from exile, and was again—and, indeed, in the presence of Athanasius—accused by his enemies, especially Macedonius, but without any immediate result.[5]

The Emperor Constantius at this time had to hurry to the eastern boundaries of the empire on account of the Persians; and at the beginning of October 338 he was already at Antioch, as the date of one of his laws again shows.[6] Athanasius also followed him on the same road, and at Cæsarea in Cappadocia he met with Constantius for the second time, where he at last succeeded in obtaining his permission also for his return. When he afterwards, in presence of the Emperor,[7] appealed to the fact of his not having at this meeting spoken a hard word against his enemies, especially the Eusebians, we may see that it was this moderation which by degrees overcame the Emperor's scruples.

Many learned men maintain that S. Athanasius' third

[1] Euseb. *Hist. Eccl.* ix. 10.

[2] *Mémoires pour servir à l'Hist. Eccl.* t. viii. p. 30, in the title concerning S. Athanasius, art. xxxi.

[3] Athanasius says this himself in his *Apolog. ad Constantium*, c. 5.

[4] Cf. Tillemont, *Hist. des Emp.* t. iv. p. 667; Pagi, ad ann. 338, n. 3.

[5] Athanas. *Hist. Arianorum ad Monachos*, c. 7.

[6] Tillemont, *Hist. des Emp. l.c.* p. 318. [7] *Apolog. ad Constantium*, c. 5.

meeting with Constantius at Antioch in Syria[1] took place at this time; but we shall, with better reason, transpose it to the period after the Synod of Sardica.

Only one difficulty with regard to this circumstance yet remains—viz. why Constantine the younger should have already published his letter relating to the return of S. Athanasius in Trèves before he met his brothers in Pannonia. The affair may perhaps be explained thus: Constantine the younger had the definite power to release Athanasius from his confinement in Trèves, for Trèves belonged to his part of the empire. The letter therefore, first of all, signified a solemn and honourable release of the exile from Trèves; and on this account it had to be published in that place, and before the young Emperor took Athanasius with him to Pannonia. He was not to accompany the Emperor as a culprit, but as a free man. The Emperor Constantine acquainted the Alexandrians with the release of Athanasius on the 17th of June 338, immediately before his departure for Pannonia, in order to enlighten them as to the fate of their beloved bishop. This was also necessary, as otherwise his removal from Trèves to Pannonia might have excited the Alexandrians, and have occasioned fears, and perhaps all sorts of disorder. Constantine therefore says in this letter what he had done with regard to Athanasius, and thereby suggests the hope that the bishop would soon return to Alexandria. He hoped, no doubt, to effect this in concurrence with his brother Constantius, who, perhaps at the first conference of the brothers at Constantinople, had already given the prospect of his consent, so that the whole of Constantine's decree appears fully justified, although no express mention is made of the condition of Constantius' agreement. But that Constantius did not immediately give his consent in Pannonia, but postponed it until later, is shown by the statement of old writers; that the Eusebians had devised all possible intrigues, and sought by every means to set the Emperor against Athanasius, and to prevent his return to Alexandria.[2] If this happened, as is very probable, during the time between the two conferences at Constantinople and Pannonia, everything is clearly explained.

[1] Athanas. *Apolog. ad Constantium*, c. 5. [2] Socrat. ii. 2; Sozom. iii. 1.

The endeavours of the Eusebians did not, however, succeed this time, for before their plots against Athanasius were completed he arrived, on November 23, at the end of the year 338, at Alexandria, where, as says Gregory of Nazianzum,[1] he was received[2] with infinite joy, and more splendour than any emperor.

Sec. 53. *The Arians again gain strength. Synod at Constantinople in* 338 *or* 339.

Rufinus,[3] Socrates, Sozomen, and Theodoret relate in the following manner how the Eusebians and Arians gained influence over the Emperor Constantius, while his brothers held to the Nicene faith:—The priest to whom Constantine the Great gave his will was the same who had already possessed the confidence of Constantia, and then insinuated himself into favour with her brother, and, as we have seen, effected the recall of Arius.[4] In the *Liber Synodicus* he is called Eustathius,[5] while Baronius, though indeed unsupported, thinks that he might have been Acacius, who soon after was raised to the bishopric of Cæsarea.[6] By clever and faithful management of the affair of the will, whereby he greatly benefited Constantius,[7] he placed himself in such high favour with the Emperor that he was employed about his person, and favoured with special confidence. So that he shortly succeeded in winning over to Arianism the Empress and the Imperial Lord High Chamberlain and favourite, the eunuch

[1] Gregor. Nazianz. *Orat.* xxi. p. 390.

[2] Cf. the testimony of the Egyptian Synod concerning this, Athanas. *Apol. c. Arian.* c. 7.

[3] Rufin. i. (x.) 11; Socrates, i. 39, ii. 2; Sozom. iii. 1; Theodoret, *Hist. Eccl.* ii. 3.

[4] Cf. above, page 11. Philostorgius (ii. 1), however, differs from the above authorities, when he says that the Emperor entrusted his will to Eusebius of Nicomedia; and Valesius agrees with him (in his Notes to Socrat. i. 39), as he is of opinion that Constantine would rather have entrusted his will to a bishop, or to some other great person, than to a simple priest. But still, in the first place, a court chaplain was a very important person; and, secondly, Constantine wished to have the will kept secret until Constantius' arrival, and a court chaplain was certainly better fitted for such a commission than a personage of high rank.

[5] Mansi, *Collect. Concil.* t. ii. p. 1275.

[6] Baron. ad ann. 337. 9.

[7] Rufin. i. (x.) 11.

Eusebius, who was all-powerful at court; and he skilfully represented to the Emperor the disadvantage of disturbances in the Church, and how those who had introduced the ὁμοούσιος into the Church were to blame for this.[1] Thus was Constantine's interest engaged against the faith of Nicæa; and Eusebius of Nicomedia, Theognis, and the other heads of the Eusebian party each did their best[2] to win the Emperor over to their views and plans.

One of the first results of the renewed power of Arianism was the second deposition of Bishop Paul of Constantinople, which took place at the end of 338, or the beginning of 339, at an Eusebian Synod at Constantinople,[3] when Constantius returned from the East. He banished the unhappy man in chains to Singara in Mesopotamia, and his see was given to Eusebius of Nicomedia, who had already for a length of time coveted this important post, and had, as Athanasius says,[4] been the cause of the persecution of that well-meaning, but less practical and accomplished, man.[5]

Eusebius of Cæsarea, the Church historian, died about this time, and those who held Arian views knew how to supply the loss of this half-friend, by the immediate choice of his pupil Acacius, who from that time was among the most active, learned, and influential friends of Arianism.[6]

While all this was passing, the Eusebians and Arians had also again renewed their attacks upon Athanasius, who must have been obnoxious to them, if only by reason of his having, since his return from exile, won over very many bishops to the doctrine of the ὁμοούσιος, and drawn them away from the side of the Eusebians.[7] The irritation, however, with which both parties opposed each other, is shown on one side by the iniquitous conduct of the Eusebians; on the other, by the fact that Athanasius and his friends completely identified the Eusebians with the Arians, as well as by the violent tone of the apology published by the Egyptian bishops in favour of

[1] Theodoret, *Hist. Eccl.* ii. 2. [2] Theodoret, ii. 2; Socrat. ii. 2; Sozom. iii. 1.
[3] Tillemont, *Mémoires*, t. iii. p. 324.
[4] Athanas. *Hist. Arian. ad Monachos*, c. 7; Socrat. ii. 7; Sozom. iii. 4. *Liber Synod* in Mansi, *l.c.* p. 1275.
[5] Cf. Möhler, *Athanas.* ii. 50. [6] Socrat. ii. 4; Sozom. iii. 2.
[7] Athanas. *Hist. Arian. ad Monachos*, c. 9.

Athanasius.[1] The latter, especially the bitter expressions against Eusebius of Nicomedia contained in it, are, however, fully excused by the more than malicious charges and open injustice indulged in by the Eusebians against Athanasius.

As we have before seen, the Arians might not anywhere form a separate community with a worship of their own, for this Constantine the Great had expressly forbidden. But the Eusebians, in the year 339, ventured to give the Arian party in Alexandria a bishop of their own, in the person of the former priest Pistus,[2] who had already been deposed on account of Arianism by the predecessor of Athanasius, and by the Nicene Synod, but was now consecrated bishop by Secundus of Ptolemais, who had likewise been deposed at Nicæa. The Eusebians also sent deacons to Alexandria, who assisted at the services held by Pistus, and countenanced the separation of this party from the universal Church.[3]

At the same time the Eusebians not only repeated the old accusations against Athanasius,—as appears from the defence against them made by the Egyptian bishops,—but added entirely new and slanderous accusations, viz. (1) that even his return from Alexandria had been viewed with much displeasure, and had occasioned great sorrow; (2) that after his return he had caused several executions, imprisonments, and other ill-treatment of his opponents; and (3) that he had himself taken and sold the corn which the late Emperor had assigned to the widows in Libya and Egypt.[4] To those

[1] Athanas. *Apol. c. Arian.* c. 3–19; Mansi, *l.c.* t. ii. p. 1279 sqq.

[2] Athanas. *Apol. c. Arian.* c. 19, 24; *Encycl. ad Episc. Epist.* c. 6.

[3] So say the Egyptian bishops in their letter (at the end of 339 or the beginning of 340) quoted in Athanas. *Apol. c. Arian.* c. 19, from which it appears that Pistus was only appointed for the Arian community in Alexandria, and that Remi Ceillier (*Histoire générale des auteurs sacrés*, t. v. p. 161) and Möhler (*Athanas.* ii. 52) were not right in assuming that the Eusebians had already deposed S. Athanasius and raised Pistus to his place. The two latter scholars maintain that the promotion of Pistus took place at an Eusebian Synod at Antioch; but Tillemont had before remarked that this was not mentioned in the original documents of this Synod. Tillemont, *Mémoires*, t. vi. p. 129, ed. Brux. Epiphanius (*Hær.* 69. 8) also says that Pistus was appointed by the Arians bishop of Alexandria.

[4] We find these three chief points in the apology for Athanasius, drawn up by the Egyptian Synod, as cited in Mansi, *l.c.* p. 1279 sqq; Athanas. *Apol. c. Arian.* c. 3 sqq.

charges, according to Sozomen,[1] they further added, (4) that Athanasius had, contrary to the canons, resumed his see without being reinstated by an ecclesiastical decision.

They brought these complaints before all the three Emperors,—Constantine the younger being then still alive,—and Constantius really credited them, especially the charge concerning the sale of the corn.[2] Besides this, they now also sent an embassy in 339 to Rome to Julius I., consisting of the priest Macarius and the two deacons Martyrius and Hesychius, to bring the accusations against Athanasius before the Pope, and prejudice him against the persecuted man, and to persuade him to send letters of peace (*Epistolæ communicatoriæ*) to the Bishop Pistus, whom they represented as orthodox,[3] and thus solemnly recognise him as a true bishop. Besides this, the Eusebian ambassadors were to bring to the Pope[4] the documents of the notorious investigations concerning Ischyras in Mareotis.[5] Heretics never denied the weight that Rome, if on their side, would have in the judgment of the Church and of public opinion, and they ceased to recognise the Primate only when he was against them.

Sec. 54. *Synod of Alexandria, 339. Transactions in Rome, and Expulsion of Athanasius.*

Pope Julius at once gave S. Athanasius a copy of the Mareotic acts,[6] and the latter found himself compelled by all these events to send, on his part, envoys for his defence to Rome, and to the Emperors Constantine and Constans,[7] and at the same time to assemble a great Synod in Alexandria of the bishops of Egypt, Libya, Thebes, and Pentapolis,[8] that they, nearly a hundred in number, might bear witness to the

[1] Sozom. iii. 2.

[2] Mansi, *l.c.* pp. 1279, 1302. Athanas. *Apol. c. Arian.* c. 3, 17, 18; *Hist. Arian. ad Mon.* c. 9. In the latter place Athanasius gives an imaginary address of the Eusebians to the Emperor, in which they represent to him how very necessary his help was to them.

[3] Julius, cited in Athanas. *Apol. c. Arian.* c. 24.

[4] Cf. the letter of Pope Julius in Athanas. *Apol. c. Arian.* c. 22, 23; 23, 27; *Ibid.* c. 83. [5] See above, p. 23 sqq. [6] Athanas. *Apol. c. Arian.* c. 83.

[7] Athanas. *Hist. Arian. ad Monachos*, c. 9; *Apolog. c. Arian.* c. 22, 24.

[8] Athanas. *Apol. c. Arian.* c. 1.

truth against his accusers. These bishops most solemnly affirmed that neither the old nor the new charges against Athanasius contained any truth, and especially that in the first place his return to Alexandria had been received, not with sorrow, but with great joy; (2) that nobody, either priest or layman, had been imprisoned or executed through him, the cases his accusers were thinking of having occurred before the return of Athanasius, and those punishments having been in no way occasioned by him, but inflicted by the Prefect of Egypt himself for quite other than ecclesiastical reasons; (3) that, with regard to the distribution of corn, Athanasius had only had trouble and annoyance, but had not used the smallest part for his own advantage, neither had any of those who were entitled to receive it brought any charge against him; whereas, on the contrary, the Arians had sought to take away the corn from the Church, and to obtain it for the benefit of their own party.[1]

That this Synod of Alexandria was held in 339, or at latest in the beginning of 340, is shown by its letter, in which three Emperors are still mentioned, so that Constantine the younger was then living; besides this, Athanasius expressly relates that Constantine and Constans had credited his envoys, and sent away the accusers in disgrace.[2]

As soon as the priest Macarius, the head of the Eusebian embassy, heard of the impending arrival of the envoys of Athanasius, he set off, although ill, from Rome, in order to save himself from disgrace; but the two other Eusebians, the deacons Martyrius and Hesychius, could only make so feeble a stand against the defenders of Athanasius, that in their embarrassment they demanded the calling of a synod, before which they would lay full and sufficient evidence of their charges against Athanasius. Pope Julius agreed to this demand, and sent letters to Athanasius and to the Eusebians, in accordance with which both parties were to appear, for the purpose of investigation, at a synod, the place and time of which they were to decide themselves.[3]

[1] Athanas. *Apolog. c. Arian.* c. 5, 7, 18; Mansi, *l.c.* 1279 sqq.

[2] *Historia Arian. ad Monachos*, c. 9.

[3] Letter of Pope Julius in Athanas. *Apol. c. Arian.* c. 22, 24; *ibid.* c. 20; and *Historia Arian. ad Monach.* c. 9.

Partly on account of this Papal summons,[1] and partly through quite unexpected events in Alexandria, Athanasius at once repaired in person to Rome. Whilst throughout the whole patriarchate of Egypt peace and unity again reigned in the Church, and not one complaint was heard against Athanasius on the part of the Church, much less his deposition spoken of, the Prefect of Egypt suddenly and quite unexpectedly published an imperial decree, announcing that "a certain Gregory of Cappadocia had been appointed by the Court (*i.e.* the Emperor) successor of Athanasius." That this had been brought about by the Eusebians, Athanasius expressly and repeatedly maintained;[2] in another place he affirms that Gregory had formerly been a dishonest collector of rents in Constantinople,[3] and in an Encyclical Letter to all the bishops of Christendom he represents the outrage involved in the intrusion of this man. Before his arrival the people flocked in greater numbers into the churches, in order effectively to hinder their surrender into the hands of the Arians. But the Prefect of Egypt, the apostate Philagrius, a countryman of Gregory, drove the faithful by force out of the churches, and allowed the greatest outrages to be committed there by Jews and heathens.[4] This took place during Lent. The Prefect had particularly in view the church of Theonas,[5] where Athanasius at that time generally abode.[6] Here he hoped to be able to take him prisoner. But Athanasius escaped[7] on the 19th of March, as says the preface to his *Festal Letters*, four days before the arrival of Gregory, after having baptized a great number.

Amid fresh acts of bloody and brutal violence, Gregory forthwith on Good Friday took possession of the church of Cyrenus.[8] Further abominations in other churches fol-

[1] Cf. the letter of Pope Julius in Athanas. *Apol. c. Arian.* c. 29.

[2] Athanas. *Encyclica Epist. ad Episc.* c. 2, p. 89, ed. Patav., and *Historia Arian.* c. 9, p. 276.

[3] *Hist. Arian. ad Monachos*, c. 75, p. 307.

[4] Athanas. *Epist. Encycl. ad Episcopos*, n. 3, pp. 89, 90.

[5] Preface to the newly-discovered *Festal Letters* of S. Athanasius, published by Larsow, p. 30, No. 11.

[6] Athanas. *Epist. Encycl. ad Episcopos*, c. 5, p. 91.

[7] *Epist. Encycl.* c. 5; *Hist. Arian. ad Monachos*, c. 11, p. 277.

[8] *Epist. Encycl. ad Episc.* n. 4, p. 91; *Hist. Arian. ad Monach.* c. 10, p. 276.

lowed,[1] and were succeeded by judicial prosecutions. Many men and women even of noble families were imprisoned and publicly beaten with rods because they opposed the new bishop.[2]

We have related the events in somewhat different chronological order from former writers, as it has been assumed from the statements of S. Athanasius, in his circular letter to the bishops, that the attack upon the church of Theonas, and his flight, only took place after the arrival of Gregory and the attack upon the church of Cyrinus; therefore, after Good Friday. This is, however, contradicted, first, by the assertion of S. Athanasius elsewhere, that he had left for Rome before all these outrages in Alexandria took place, quite at their commencement;[3] and, secondly, by the statement in the preface to his *Festal Letters*, that he had fled from Alexandria on the 19th March, four days before the arrival of Gregory, and thus before Good Friday. We believe our arrangement of the events is sufficiently confirmed by these passages, and will merely add, that the representation of the affair in the *Epistola Encycl.* of Athanasius proves nothing against us, if we assume that it first enumerates all the atrocities committed in Alexandria, including those in the church of Cyrinus; and then, secondly, relates the flight of Athanasius, without adhering closely to the chronological order of events.

But in what year did this take place? Athanasius distinctly speaks of Lent and Good Friday, but he does not give the year. A statement of Pope Julius in Athanasius' *Apologia contra Arianos*[4] has suggested the conjecture that it was only at Easter 341 that Gregory was consecrated and appointed Bishop of Alexandria by the Synod of Antioch *in Encæniis*, of which we shall have to treat hereafter, and sent thither with a military escort. Socrates and Sozomen[5] have also adopted this chronological system, and they add, that the Synod had first appointed Eusebius of Emisa, and only when he refused had made Gregory of Cappadocia Bishop of

[1] Larsow gives a plan of the town of Alexandria, with its churches, in the third plate of his German edition of the *Festal Letters* of S. Athanasius.

[2] *Epist. Encycl. ad Episcop.* c. 4 et 5, p. 91.

[3] *Historia Arian. ad Monachos*, c. 11, p. 277.

[4] *Apologia contra Arianos*, c. 29, 30. [5] Socrat. ii. 9–11; Sozom. iii. 6.

Alexandria. Relying on these statements, I have also formerly fixed the flight of S. Athanasius and the arrival of Gregory in the year 341;[1] but the newly-found *Festal Letters* show the error of this supposition incontestably. The thirteenth of these *Festal Letters*, which was intended for the announcement of Lent and Eastertide of the year 341, and therefore written quite in the beginning of that year, is dated from Rome.[2] From this it appears that Athanasius must already have fled to Rome in Lent of the year 340, or even in the year before that. The preface to the newly-discovered *Festal Letters* serves as an authority for the latter date, Easter 339; and Athanasius himself, in his *Festal Letter* for 339, speaks of persecutions prepared for him by the Eusebians.[3] But, on the other hand, it would be rather remarkable if the Emperor Constantius had so quickly changed his views with regard to Athanasius, and had driven him away again only a few months after his return. To this it must be added, that the preface just mentioned, which is not the work of Athanasius himself, but of a somewhat later anonymous writer,[4] is not always quite reliable in its dates,[5] and that the testimony of a second similar document of equal weight, the *Historia Acephala*,[6] published by Maffei in 1738, supports the year 340. Agreeing with the preface, it transfers the return of Athanasius from his second exile to the 21st of October 346, and adds, that "he had been absent for six years." This justifies us in fixing the flight of Athanasius rather for Easter 340 than 339.

If it is proved, chiefly by the thirteenth *Festal Letter* of S. Athanasius, that he had been driven away from Alexandria by the arrival of Gregory at least by Easter 340, we must necessarily understand somewhat differently from former writers the statement of Pope Julius, a contemporary of Athanasius, that

[1] In the treatise "Controversies concerning the Synod of Sardica," in the *Tübinger Theolog. Quartalschrift*, 1852, vol. iii. p. 368 sq.

[2] Larsow, *l.c.* p. 129. [3] Larsow, *l.c.* pp. 115, 124.

[4] Cf. *Tübinger Quartalschrift*, 1853, vol. i. p. 150.

[5] *Ibid.* p. 163 sqq.; cf. above, p. 14, note 1; p. 17, note 7; p. 38, note 3.

[6] Printed in the third volume of the *Osservazioni Letterarie* of the year 1738, and in the Patavian edition of the works of S. Athanasius, t. iii. p. 89 sqq.; cf. *Tub. Quartalschrift*, 1852, book iii. p. 361, and 1853, book i. p. 150.

"he was deposed by the Eusebians at Antioch, and that Gregory of Cappadocia had been illegally consecrated bishop, and sent under military escort to Alexandria;"[1] that is to say, by the Synod here mentioned must not be understood that famous Synod of Antioch *in Encæniis*, in 341, but an earlier assembly held there by the Eusebians at latest in the first months of the year 340, before the arrival of Gregory in Alexandria. If we add that Athanasius ascribes his deposition to the Eusebians, and repeatedly says that the "Emperor" had sent the Cappadocian, or that he had been sent from the court and from the palace,[2] this fully agrees with the statement of Pope Julius, and the two reports supplement each other. "The Eusebians managed to gain the consent of the Emperor Constantius to the deposition of Athanasius at an assembly at Antioch, and the consecration in his place of Gregory, whom the Emperor now sent with military escort to Alexandria."

After establishing this conclusion, we can no longer hesitate to affirm that Socrates[3] and Sozomen have confused the Synod of the Eusebians at Antioch for the deposition of S. Athanasius and the election of Gregory, with the far more famous Synod *in Encæniis* held somewhat later, perhaps because the latter Synod again confirmed his deposition, and justified it by special canons. And the further statement of Socrates and Sozomen, that Eusebius of Emisa was first chosen in Antioch as Bishop of Alexandria, and that they only thought of Gregory when he refused the office, can also be accepted and referred to the earlier assembly at Antioch in the beginning of 340.

Such violent and irregular proceedings of the Emperor against Athanasius were possibly the more easily carried out in 340, as just at that time the two protectors of Athanasius and orthodoxy, the Emperors Constans and Constantine the younger, were engaged in a fratricidal war about the division of the empire, which terminated in the death of the latter, in the beginning of April 340.

[1] Athanas. *Apolog. contra Arian.* c. 29, 30, t. i. P. i. p. 117, ed. Patav.

[2] *Hist. Arian. ad Monachos*, c. 14, c. 74, 75, pp. 278, 307; *Epistola Encycl. ad Episcopos*, c. 2, p. 89.

[3] Socrat. ii. 9-11; Sozom. iii. 6.

Gregory now, indeed, held possession of the See of Alexandria; but the greater part of the people would not enter into any communion with him, and preferred dispensing with all the ordinances of the Church to receiving them at the hands of the Arians, and thus it came about that many were not baptized, while others could not see any priest during sickness, for even the private ministrations of the followers of Athanasius were strictly suppressed.[1] Somewhat later, Gregory and the Prefect Philagrius extended these acts of violence over the whole of Egypt, in order to force all the bishops of that country to acknowledge the new metropolitan. Among others, the aged Bishop Sarapammon was driven into exile, because he would have nothing to do with the intruder; and the venerable martyr Potamon, who had lost an eye in one of the persecutions of the Christians, was so severely beaten that he was left for dead, and a few days afterwards actually died of his ill-usage. Almost numberless were the monks, bishops, virgins, and others who suffered cudgelling and other tortures, as Pope Julius testifies in his letter to the Eusebians.[2] An aunt of S. Athanasius, who died, was not even allowed burial; and S. Antony was dismissed with threats and derision because, in a letter to the cruel Duke Valacius, he took the part of the persecuted.[3]

Meanwhile Athanasius had arrived in Rome after Easter 340, and Pope Julius immediately sent two priests, Elpidius and Philoxenus, to Antioch again to invite the Eusebians, who, as we saw, had laid charges before him against Athanasius, to come to the proposed Council, for which he now fixed a definite limit of time, as it appears before the end of 340. When, however, the Eusebians heard that Athanasius had arrived in Rome, they protracted the business, delayed under all sorts of pretexts giving a decided answer to the Pope, retained his messengers until January in the following year 341,[4] and sent them back at last with a letter written in a tone of irritation to the following effect:—

(*a*) Athanasius had already been deposed by sentence

[1] Athanas. *Epist. Encycl.* c. 5. [2] Athanas. *Apolog. c. Arian.* c. 33.
[3] Athanas. *Hist. Arian. ad Monach.* c. 13, 14; *Vita S. Antonii*, c. 86.
[4] Athanas. *Apolog. c. Arian.* c. 25, p. 114.

of the Council of Tyre, and therefore a fresh examination into the affair would be to undermine the authority of the Councils.[1]

(β) The period fixed by the Pope for the Synod was much too short; and, on account of the state of affairs in the East, *i.e.* the Persian war, it was impossible for them then to go to Rome.[2]

(γ) The authority of a bishop did not depend upon the size of the town, but all were equal in honour; therefore Julius could claim no special rights.[3]

(δ) It was not right that the Pope should have written only to the Eusebians, and not to all assembled at Antioch.[4]

(ε) The Pope preferred communion with Athanasius and Marcellus of Ancyra to communion with all of them.[5]

Sec. 55. *Roman and Egyptian Synod in* 341.

Pope Julius kept this letter of those assembled at Antioch for a long time without publishing it, in the hope that some of the Antiochians would still perhaps appear later at the Council in Rome.[6] But when this did not take place, and after Athanasius had already waited eighteen months in Rome for the Synod in his defence,[7] the Pope at last, in the autumn of 341,[8] took steps for really holding it, and assembled more than fifty bishops in one of the Roman chapels of ease.[9] Besides Athanasius, Marcellus of Ancyra, and many bishops from Thrace, Cœlesyria, Phœnicia, and Palestine, and many priests from different countries, appeared at Rome, especially the envoys of the orthodox party in Egypt, to complain of the unjust and violent doings of the Eusebians.[10] A great Egyptian Synod had also sent a circumstantial letter,

[1] Julii, *Epist.* in Athanas. *Apolog. c. Arian.* c. 22, 25.
[2] *Ibid.* c. 25; *Hist. Arian. ad Monachos*, c. 11, p. 277.
[3] Athanas. *Apolog. c. Arian.* c. 25. [4] *Ibid.* c. 26. [5] *Ibid.* c. 34.
[6] Athanas. *Apolog. c. Arian.* c. 21, p. 111, t. i. P. i. ed. Bened. Patav.
[7] *Ibid.* c. 29.
[8] This is generally said to have been in 342; but as we must alter the date of Athanasius' arrival in Rome to the year 340 (see above, page 50), we must decide in this case for 341.
[9] *Ibid.* c. 20. [10] *Ibid.* c. 33.

expressly in defence of Athanasius, to Rome. After a thorough examination, however, into the complaints brought forward, the Roman Synod declared the deposition of Athanasius and Marcellus to be unjust, received both of them to communion and the holy Eucharist, and besought the Pope, in the name of all, to explain this to the Antiochians, and to give an emphatic answer to their unseemly letter.[1] This occasioned the *Epistola Julii* to Danius Flacillus, etc., so often made use of by us, and which Athanasius has embodied in his *Apologia* against the Arians.[2] In this letter Pope Julius complains, first, of the quarrelsome and unseemly answer which the Antiochians had given to his messengers, who returned distressed at what had taken place at Antioch. After the reception of the letter from Antioch, he had not at once published it, hoping that some few would still arrive at the Roman Synod. At last, however, he did so, and no one would believe that such a letter could have been written by any bishop. What, then, was their ground of complaint; and why were they angry? Was it because he had desired them to appear at a synod? He who has confidence in his cause will not be displeased at another examination into his sentence. Even the Fathers of the great Nicene Council had given their permission that the decisions of one synod should be tried by another. Besides this, their own Eusebian ambassadors had themselves demanded a synod, when they found they could make no stand against the messengers of Athanasius. The Antiochians had objected that every synod had a fixed authority, and that it would be offensive to a judge to have his sentence tried by another. Yet the Eusebians had themselves violated the authority of the far greater Council of Nicæa, by again receiving those Arians who had been there condemned. Thus at Alexandria, Carpones and others, who had been already deposed by Archbishop Alexander for Arianism, had arrived in Rome, sent thither by a certain Gregory (of Cappadocia), and in the same way Macarius, one of the Eusebian ambassadors, had recommended Pistus, who was an Arian, as was shown on the arrival of the ambassadors

[1] Athanas. *Apolog. c. Arian.* c. 20, 27.
[2] *Ibid.* c. 21–35.

of Athanasius. The Antiochians had reproached the Pope with fostering disunion, but it was they who contemned the decrees of synods. If they said that the authority of a bishop did not depend upon the size of the town, then they should have been satisfied with their small Sees, and not have attempted, like Eusebius of Nicomedia, to thrust themselves into more important ones. They should have come to the Synod at Rome. To say that the short interval allowed them, and the existing circumstances (the Persian war), did not permit it, was a mere empty excuse. They had themselves detained the Papal embassy in Antioch till January. The Antiochians had complained that he had not addressed his former letter of invitation to the Synod to them, but only to the Eusebians; but this complaint was very ridiculous, as he had answered those who had written to him to send him their complaint against Athanasius. Neither had he, as they supposed, written in his own name alone, but in the name of all the Italian and neighbouring bishops; and this was also the case with the present letter. Athanasius and Marcellus had been, with good reason, again received into the communion of the Church. The charges of the Eusebians against Athanasius were in themselves contradictory; the Mareotic investigation was one-sided, conducted without hearing the other side. Arsenius was still living, and was a friend of Athanasius, who had produced a letter from Bishop Alexander of Thessalonica, and one from Ischyras, in which he himself disclosed the deceit which had been practised. The Mareotic clergy who had arrived in Rome had declared that Ischyras was no priest, and that no chalice of his had been broken; the Egyptian bishops also had given Athanasius the best possible character, and the charges against him in the Mareotic acts were self-contradictory. Athanasius had already waited a whole year and six months in Rome for the appearance of his accusers; neither had he come of his own accord, but in obedience to the invitation of Rome, to the Synod. Meanwhile they, the Antiochians, however, at a distance of thirty-six days' journey from Alexandria, had appointed a bishop for that town, and, contrary to the universal practice, had consecrated him in Antioch, and sent him with a military escort to

Alexandria.[1] It was contrary to the canons that they should appoint a new bishop while so many still held communion with Athanasius. Marcellus of Ancyra had declared in Rome that their charges against him were false; he had expressed himself in an orthodox manner; and the Roman bishops also who had been at Nicæa testified that at that time he had been thoroughly orthodox, and a powerful opposer of the Arians. It was on this account that at Rome he had been recognised as a lawful bishop. Besides this, it was not only Athanasius and Marcellus who had raised complaints, but also many other bishops from Thrace, Cœlesyria, Phœnicia, and Palestine, and many priests, had come to Rome, and had complained that violence was being done to the churches. Priests, especially from Alexandria and from every part of Egypt, had come to relate the violent acts which were still carried on after the departure of Athanasius, in order to extort the recognition of Gregory. Similar things had happened in Antioch. How, then, could the Antiochians, in the face of such facts, say that peace reigned in the Church? They had written that Rome preferred communion with Athanasius and Marcellus to communion with the other bishops. But they still had the opportunity of coming to prove their charges against these men; they would still be received. If suspicion had rested on the Bishop of Alexandria, they should have addressed themselves to Rome, for it was the custom to write to that quarter first, that from thence the rightful decision might be received.[2] The letter ends with exhortations to peace.

The question now necessarily arises, whether or not this new assembly of the Eusebians in Antioch, to which Pope Julius addressed this letter, was identical with the famous Synod of Antioch *in Encæniis*, and this brings us to the consideration of the latter Synod.

Sec. 56. *Synod of Antioch in Encæniis in* 341, *and its Continuation.*

The Emperor Constantine the Great had begun to build a most magnificent church, named the "Golden," in Antioch;

[1] Cf. above, p. 48.

[2] Cf. p. 59, note 2.

and after its completion, his son Constantius had it solemnly consecrated. A synod was held in connection with the consecration of the church, as was customary on such occasions, and ninety-seven bishops were assembled in Antioch.[1] That this Synod entitled *in Encæniis* (ἐγκαινίοις) or *in Dedicatione*, from the consecration of the church, was held in 341, before September 1, Athanasius expressly states, for he mentions the Consuls Marcellinus and Probinus, and the 14th Indiction. Socrates and Sozomen[2] agree with this, adding that this Synod was held in the presence of the Emperor Constantius, in the fifth year after the death of Constantine the Great, therefore after May 22, 341.[3] The Synod of Antioch *in Encæniis* must therefore have been held in the middle of 341, between the end of May and the month of September. As, however, the two Papal ambassadors, Elpidius and Philoxenus, were released from Antioch at the latest in January 341,[4] the Synod *in Encæniis* could not then even have begun; and it is therefore necessary to distinguish it from that mentioned in page 51 and at the end of the preceding section, which was held at least some months earlier. This supposition is confirmed by the following considerations:—(1) At the former assembly the Eusebians only excused their non-appearance at Rome on account of the short space of time allowed them, and the Persian war; whereas, if they had been assembled by order of the Emperor for the solemn consecration of a church, they would certainly have alleged that reason. (2) Pope Julius blames the Eusebians who were assembled at Antioch for their endeavours to injure the Council of Nicæa.[5] Now, if the Synod *in Encæniis*, which, as we shall see, tried to supplant the Nicene Creed by other forms, had already taken place, Julius would certainly have used this powerful handle for his indictment against them.

No one, however, can be surprised that in that short time several synods should have been held at Antioch, one

[1] Hilarius, *de Synodis*, c. 28, p. 1168, ed. Bened.; Sozom. *Hist. Eccl.* iii. 5; Socrat. *Hist. Eccl.* ii. 8; Athanas. *de Synodis*, c. 25, t. i. P. ii. ed. Patav. p. 589. According to the two latter, only ninety bishops were present.

[2] Sozom. iii. 5.

[3] Constantine the Great died on May 22, 337.

[4] See above, p. 52.

[5] Athanas. *Apolog. c. Arian.* c. 22, 23, 25.

after another. Even after the Synod *in Encæniis* we again find, according to the testimony of S. Athanasius, several Synods at Antioch following in quick succession.[1] The frequent residence of the Emperor Constantius in this capital of Asia, and the excitement of the times, account for the fact of the Eusebians often assembling at the palace, just as we afterwards meet with a fixed *σύνοδος ἐνδημοῦσα* in Constantinople.

But now let us enter into closer examination of the Synod *in Encæniis.* The Eusebians probably formed the smallest body of bishops present; all the others were reckoned among the orthodox. The whole body, however, belonged to the Eastern Church; and most, indeed, came from the patriarchate of Antioch. Still some bishops and metropolitans were there from other countries, as from Cappadocia and Thrace. Sozomen names as the most important persons — Bishop Placetus (Flacillus) of Antioch, who probably presided, Eusebius of Nicomedia (now of Constantinople), Acacius of Cæsarea in Palestine, Patrophilus of Scythopolis, Theodore of Heraclea, Eudoxius of Germanicia, Dianius of Cæsarea in Cappadocia, George of Laodicea in Syria. The old Latin translations of the synodal acts mention about thirty more bishops who were present at the Synod,[2] and signed the acts; but not only do these different codices vary immensely one from the other, but these alleged signatures are worthless, because amongst them, for instance, appears that of Theodore (or Theodotus) of Laodicea, who had died before the year 335.[3] Whether the famous orthodox bishops, S. James of Nisibis and S. Paul of Neocæsarea in Antioch, were present, must be left undecided, as their names only appear among the signatures, while no mention is made of them in any other place.[4] On the other hand, Socrates and Sozomen[5] expressly relate that Bishop Maximus of Jerusalem had refused to take part in the Synod, because he repented having agreed six years before, at the

[1] Athanas. *de Synodis*, c. 22, 25, 26, p. 587 sqq.

[2] The idea, that in the whole thirty-six bishops were present at this Synod, arose from a false reading of the words of Pope Julius cited by Athanasius, *Apol. c. Arian.* c. 29. Cf. Tillemont, *Mémoires*, etc., t. vi. p. 328, note 27, *sur les Ariens.*

[3] Cf. Tillemont, *l.c.* p. 328, note 26, *sur les Ariens.*

[4] Cf. Tillemont, *l.c.*

[5] Socrat. ii. 8; Sozom. iii. 6.

Synod of Tyre, when misled by the Eusebians, to the deposition of S. Athanasius. From the West and the Latin Churches no bishop was present,[1] nor any representative of Pope Julius, although Socrates adds that the canons enjoined that, without the consent of the Bishop of Rome, the Churches should make no decree.[2]

The first important act of this Synod was the setting forth of twenty-five canons, which are preserved to us in numerous manuscripts and translations of the old canons. These canons of Antioch have always been held by the Church as great authorities; two of these, the third and fourth, were cited at the fourth Ecumenical Council at Chalcedon (*Actio* iv.) among the "Canons of the Holy Fathers."[3] They were also highly esteemed by Pope John II. (533), who sent the fourth and fifteenth canons of Antioch to the Archbishop Cæsarius of Arles for his guidance in deciding the affair of the Bishop Contumeliosus.[4] Pope Zacharias also, in his letter to Pepin the Small, cites the ninth canon of Antioch among the *Sanctorum Patrum Canones;*[5] and Pope Leo IV. mentions in a public document that the bishops of the Roman Synod, held by him in 853, had with one consent declared, "What else can we say, *nisi ut Sancti Patres qui Antiocheno Concilio residentes tertio capitulo* (the third canon) *promulgarunt et inviolabiliter statuerunt?*"[6] To this it must be added, that S. Hilary of Poitiers, who lived at the time of the Antiochian Synod, called it a *Synodus Sanctorum.*[7]

Under such circumstances the question must occur, how it was that a synod at which the Eusebians predominated, and which, as we shall see, sought to supplant the Nicene Creed by new forms, and, as is asserted, confirmed the deposition of S. Athanasius pronounced by an earlier synod, could have

[1] Sozom. iii. 6.

[2] This much controverted statement may have originated in the words of Pope Julius I. cited above (p. 56), that the matter ought, in the first instance, to have been referred to Rome (Athan. *Apolog. c. Arian.* 35), and a decision obtained from thence. Möhler (*Athan.* ii. 66) has missed the point of ἔνθεν, when he translates it "then" instead of "thence."

[3] Harduin, *Coll. Concil.* t. ii. p. 434.

[4] *Ibid.* p. 1156.

[5] Harduin, *l.c.* t. iii. p. 1890.

[6] Harduin, *l.c.* t. iv. p. 78.

[7] Hilar. *de Synodis, seu de Fide Orientalium*, c. 32, p. 1170, ed. Bened.

been declared by the orthodox Fathers, Popes, and Councils to be a lawful and holy assembly, and its canons universally received? Baronius[1] and Binius[2] answer that it was by reason of an historical mistake. Because the twenty-five canons of Antioch contain nothing heretical, and even carry on their front (in Canon 1), so to speak, respect for the Council of Nicæa, the collectors of the old canons were deceived by them, and holding them for the product of an orthodox Synod, received them into their collections, and thus gave occasion for their later reception, as proceeding from a holy Synod.

We cannot, of course, absolutely deny that this may possibly have been the case; but the Antiochian Synod of 341 not only published twenty-five canons, but also promulgated several creeds preserved to us by Athanasius and Hilary, the latter adding that they proceeded from the *Synodus Sanctorum*.[3] But Hilary was contemporary with the Antiochian Synod, and was incapable of an historical error, such as Baronius and Binius suppose. He certainly knew from whom those creeds proceeded, and if he considered the Synod which promulgated them to be Arian, he would surely not have called it by such a name.

It was therefore natural to seek for another solution of the difficulty in question, and to divide the one synod into two, —the one orthodox, which made the canons; the other Arian, which deposed S. Athanasius.[4]

The learned Jesuit, Emanuel Schelstraten, in his little work, *Sacrum Antiochenum Concilium auctoritati suæ restitutum* (Antwerp 1681), has greatly improved upon this hypothesis. He assumes that, as the greater number of bishops present at Antioch were orthodox, the Eusebians at first kept their designs in the background and submitted to their colleagues, so that twenty-five faultless canons and three regular creeds were able to be drawn up. When this was done, the greater number of the orthodox bishops, *quasi re bene*

[1] Ad ann. 341. 34.

[2] In his remarks on our Synod in Mansi, *l.c.* p. 1347.

[3] See above, p. 59.

[4] Cf. Harduin's notes on the acts of this Synod in his *Collect. Concil.* t. i. p. 590, and in Mansi, *l.c.* t. ii. p. 1306.

gestâ, probably returned home, while the Eusebians remained, and professing to be a continuation of the Synod, with the support of Constantius, passed the decrees against Athanasius, besides others of the same kind. The Antiochian assembly during its first period, so long as its numbers were complete, might thus rightly be called sacred, for *a parte potiori fit denominatio;* but as regards its later period, after the departure of the orthodox, it might be called an Arian cabal (*Conciliabulum*), as indeed it was by Chrysostom and his friends, and by Pope Innocent I., when Theophilus of Alexandria made use of a canon of this Antiochian Council for the overthrow of S. Chrysostom.[1]

This hypothesis of Schelstraten's has at first sight much plausibility, and was therefore adopted by many Catholic and Protestant scholars, as by Pagi,[2] Remi Ceillier,[3] Walch,[4] partly also by Schröckh,[5] and others.

The first who to my knowledge was not satisfied with it was Tillemont, who especially called attention to the fact that, according to Socrates,[6] the Antiochian Synod had first deposed Athanasius before entering upon the other matters.[7] It is clear that if the canons at Antioch were only promulgated after the deposition of Athanasius, the whole hypothesis of Schelstraten completely falls to the ground. But Socrates'[8] own words show that they were certainly promulgated before the final deposition of Athanasius, for he says: "The Eusebians sought to overthrow Athanasius, because he first proceeded against that canon which they themselves had then promulgated (ὃν αὐτοὶ ὥρισαν τότε)." This clearly means that "first they promulgated the canons, and afterwards used one against Athanasius." Sozomen[9] says the same: "They bitterly

[1] Cf. Pallad. *Vita Chrysostom*, c. 8, p. 78, 79; Socrat. vi. 18; Sozom. viii. 20; Innocent I. *Epist.* 7, *ad Clerum et Popul.* Const. p. 799, ed. Constant. Of course the sentence or canon to which the adversaries of Chrysostom referred must be distinguished from the fourth and twelfth true Antiochian canons.

[2] *Critica in Annales Baronii*, ad ann. 341. 7 sqq.

[3] *Histoire génér. des auteurs*, etc., t. v. p. 660, vii.

[4] *Historie der Kirchenversammlungen*, p. 170.

[5] *Kirchengesch.*, Part 6, p. 60.

[6] Socrat. ii. 8.

[7] *Mémoires pour servir*, etc., *l.c.* p. 329, note 28, *sur les Ariens.*

[8] Socrat. ii. 8.

[9] Sozom. iii. 5.

accused Athanasius because he had broken a law which they themselves had made, and had again taken possession of the See of Alexandria (after his first exile) before he was reinstated by a Synod." Therefore, in saying that the canons were promulgated before they deposed Athanasius, Socrates and Sozomen contradict what is attributed by Tillemont to the former.

We can, however, explain how Tillemont arrived at his mistaken conclusion. Socrates also says in the same place to which we have just referred: *οἱ περὶ Εὐσέβιον οὖν ἔργον τίθενται προηγουμένως, Ἀθανάσιον διαβάλλειν.* This expression, *προηγουμένως*, Tillemont understood in the sense of time, as if the first act of the Eusebians had been to depose Athanasius; but the word may also mean "chiefly," or the first in importance, and in this sense it must be taken here. Socrates means and says that the chief concern of the Eusebians was the deposition of Athanasius, and for this purpose they made use of a canon which the same Synod had promulgated shortly before. But even if the language of Socrates and Sozomen does not conflict with Schelstraten's hypothesis in the way that Tillemont supposes, still it does in another way. For if we understand him to mean that the canons were first promulgated, and that one of them was then employed against Athanasius, we must allow also that the Antiochian canon which Chrysostom and Innocent I. speak of as proceeding from the Arians, was identical with the fourth or the twelfth canon of the Antiochian Synod, which, according to Schelstraten, must have been passed during the orthodox period of the Synod.[1]

Another chronological statement with regard to the Synod of Antioch is to be found in Socrates and Sozomen, by which we must test the hypothesis of Schelstraten. They both expressly declare that, after the deposition of Athanasius, the Antiochians occupied themselves in drawing up creeds.[2] The

[1] That which is cited by Remi Ceillier (*l.c.* p. 659) in order to show that the canon rejected by Chrysostom and his friends is not identical with the fourth and twelfth Antiochian canon, is altogether untenable. Compare Tillemont, *l.c.* p. 329, note 28, *sur les Ariens*, and Fuchs' *Bibliothek der Kirchenversammlungen*, Part ii. p. 59.

[2] Socrat. ii. 10; Sozom. iii. 6.

drawing up of these creeds, therefore, was at the time when, according to Schelstraten, the Synod had degenerated into an Arian Council, and yet S. Hilary says that these creeds proceeded from a *Synodus Sanctorum.*

Schelstraten (p. 665) and Pagi[1] say, indeed, that Socrates and Sozomen were mistaken in this chronological statement; but of this they have no proof, except that, as a general rule, Synods first drew up a creed, and then treated of the other matters in hand. But one cannot so easily get rid of the assertion of those two Church historians, unless it is allowable to overthrow any historical statement by a mere gratuitous conjecture.[2] There are, moreover, many other objections to Schelstraten's hypothesis. (*a*) It is based on a statement of Pope Julius, who says, "Even if Athanasius had been found guilty after the Synod, still they ought not to have proceeded against him so irregularly."[3] Now it is said that the expression μετὰ τὴν σύνοδον meant that Athanasius had been deposed after the Antiochian Synod by a remnant only of the assembly. But the truth is, that Julius, as the context shows, had quite another Synod in view, and meant to say, "Supposing even that Athanasius had been found guilty by that Synod which was demanded by your own ambassadors, and which I had convoked, etc." Then, again, (*b*) Schelstraten's chief authority is Palladius, in his biography of S. Chrysostom, who maintains that "the canon referred to by the opponents of S. Chrysostom was promulgated by forty bishops of the Arian community." From this, Schelstraten drew the conclusion that, after the departure of the orthodox bishops, forty Arians had remained in Antioch, and had formed the cabal in question. But, as we have already remarked, the contents of the canon to which the opponents of S. Chrysostom referred differed in no respect from the fourth and twelfth canons of Antioch; and Schelstraten's notion, that after the departure of the orthodox bishops another canon had been made by the Arians, is entirely imaginary. Besides this, Tillemont thinks that Palladius or one of his secretaries had, by mistake only, written thirty

[1] *Critica in Annales Baron.* ad. ann. 341. 12.
[2] Cf. Tillemont, *l.c.* p. 329, note 28, *sur les Ariens.*
[3] Athanas. *Apolog c. Arian.* c. 30.

instead of ninety, and that Palladius had therefore declared the whole Antiochian Synod to be Arian.[1]

In opposition to Schelstraten, the brothers Ballerini,[2] after the example of Tillemont (*l.c.* p. 327), devised another hypothesis; and Mansi, in his *Notes on the Church History of Natalis Alexander*, sides with them.[3] They maintain that our twenty-five canons did not proceed from the Arianizing Synod *in Encæniis*, but from an early Antiochian Council in 332, where Euphronius was chosen Bishop of Antioch, after the banishment of Eustathius, and that they had afterwards been erroneously ascribed to the other assembly. It was therefore perfectly natural that they should everywhere gain applause before this mistake originated, and from all who still remained in ignorance of it. We cannot the least share Mansi's enthusiasm (*Placent et vehementer placent*, he exclaims) for this hypothesis. In the first place, there is no external evidence that the twenty-five canons were issued by another Synod; and the indications said to exist in the canons themselves are by no means convincing. Thus (1) the very first canon is said to date from an earlier period, because it says that the Synod of Nicæa was held during the reign of the Emperor Constantine, without mentioning his death. But this every one knew. It is said, again, (2) that the contents of some of the canons are inconsistent with the conduct and actions of those assembled at Antioch. Thus (*a*) Canon 11 forbade bishops to go to court; but Eusebius had himself been a court bishop; but that prohibition has exceptions.[4] (*b*) Canon 21 forbade translations from one see to another; but Eusebius had first exchanged Berytus for Nicomedia, and then for Constantinople. But Canon 21 is only a repetition of an old canon; and could Eusebius have hindered its repetition by the majority of those present in Synod? (*c*) The signatures of the synodal letter, which accompanies the canons, are also said to belong to another and earlier Antiochian Synod, *first*, because they contain names of bishops who had

[1] Tillemont, *l.c.* p. 329, note 27, *sur les Ariens.*

[2] In the appendix to their edition of the work of Leo the Great, t. iii. p. xxv.

[3] Natal. Alex. *Hist. Eccl.* sec. iv. Diss. xxvi. p. 453, t. iv. ed. Venet. 1778.

[4] See below, sec. 70.

died in the year 341; *secondly*, because the signatures of the leading members of the Council do not appear; and *thirdly*, because among the signatures there is not one of a bishop of Antioch, which points to a time when the see was vacant. We grant the possibility of this; but the signatures of the bishops are so different in the several codices, that we cannot with anything like certainty draw any conclusion from them. It is further argued, that (*d*) in the synodal letter just mentioned, the Antiochian church is represented as enjoying a happy unity, which was not the case in 341. But there is no doubt that the exiled Eustathius of Antioch was dead at that time, and this must have materially softened the hostility of rival parties in that city. Moreover, in 332, shortly after the banishment of Eustathius, there was no slight enmity between these parties; and with Tillemont, we should rather place the date of the alleged Council of Antioch, which drew up these canons, immediately after the Council of Nicæa.[1] A fact, however, which must not be overlooked, is that the Antiochian Synod of 341, in its letter to Pope Julius, praises the Alexandrian church for its great peace and happiness; whereas, as the Pope justly remarked, quite the contrary was the case.[2] There is this also to be said against the Ballerini hypothesis, that in the affair of S. Chrysostom, the canon employed against him was represented as proceeding from the Arians, and all attempts to deny its identity with our fourth and twelfth Antiochian canons are fruitless.[3]

But even if all this had not been so, the Ballerini hypothesis would not answer its purpose. For even if it could be shown that the twenty-five canons did not emanate from the Antiochian Synod of the year 341, but from the Synod of 332, this would not alter the state of the case, or in the least remove the difficulty. The Synod of 332, where Euphronius was chosen Bishop of Antioch in the place of the banished Eustathius, was also an Eusebian one, so that Socrates[4] says: "Euphronius was chosen through the efforts of the opponents

[1] Tillemont, t. vi. p. 328, note 26, *sur les Ariens*, and t. vii. p. 11 in the treatise concerning S. Eustathius.

[2] Athanas. *Apolog. c. Arian.* c. 30-34.

[3] See above, pp. 62, 64.

[4] Socrat. i. 24.

of the Nicene faith." And secondly, the Ballerini hypothesis does not solve the difficulty, because the Synod of 341, even if credited with the twenty-five canons, undoubtedly drew up those creeds which Hilary mentions as emanating from a *Synodus Sanctorum*. If, then, according to the Ballerini brothers, the Synod of 341 was Arian, how could Hilary thus speak of it?

But, in fact, the πρῶτον ψεῦδος of the whole investigation has been the assumption of this alternative, that the Synod must either have been orthodox or Arian. It is not judged by the standard of its own time, but by our own, or that of Athanasius. Certainly Athanasius identified the Eusebians with the Arians, and we regard them as at least Semi-arians; but at that time, after they had made the orthodox confession of faith, and repeatedly declared their disapproval of the heresies condemned at Nicæa, they were considered by the greater number as lawful bishops, and thoroughly orthodox and saintly men might without hesitation unite with them at a synod. That is shown, for instance, by the example of the metropolitan Dianus of Cæsarea, so highly praised by Basil the Great, and so much venerated in the ancient Church, who was present with the Eusebians at the Synod *in Encæniis* at Antioch, as well as at that former assembly, with which, as is well known, Pope Julius held intercourse. Even Pope Julius himself, although he strongly blames the Eusebians for their deposition of S. Athanasius, in nowise treats their assembly as an Arian cabal, but repeatedly calls them his "dear brethren."[1] And did he not also invite them to a common synod to inquire into the charges made against Athanasius? Accordingly, when a synod was held at Antioch on the occasion of the consecration of the church there, even the most orthodox of the Eastern bishops did not hesitate to act in common with Eusebius and his friends.

The contents of the canons[2] promulgated by the Synod *in Encæniis* are as follow:—

[1] Athanas. *Apol. c. Arian.* cc. 21, 25, 26, 30, 35.

[2] Printed in Mansi, *Collect. Concil.* t. ii. 1307 sqq.; Harduin, *Coll. Concil.* t. i. pp. 590 sqq.; Bevereg. *Synodicon sive Pandectæ Canonum*, t. i. pp. 430 sqq.; lately in Bruns, *Canones Apostolorum*, etc., P. i. pp. 80 sqq. (also under the

1. All those who dare to act contrary to the command of the great and holy Synod, assembled at Nicæa in presence of the pious Emperor Constantine, beloved of God, in regard to the sacred feast of Easter, shall be excommunicated from the Church if they obstinately persist in their opposition to this most excellent decision. This refers to the laity. But if after this command any of the church-officers, bishop, priest, or deacon, still dares to celebrate the feast of Easter with the Jews, and to follow his own perverse will to the ruin of the people and the disturbance of the churches, the holy Synod holds such a person from that time as separated from the Church, because he not only sins himself, but is the cause of ruin and destruction to many; and the Synod not only deposes such persons from their office, but also all those who after their deposition presume to hold communion with them. The persons deposed shall also be deprived of the external honours enjoyed by the holy canon[1] and the priesthood.[2]

2. All those who come to the church of God and hear the sacred Scriptures, but do not join with the people in prayer, or who in any irregular manner dishonour the common reception of the Holy Communion, shall be excommunicated until such time as they have done penance, and shown by their deeds their change of mind, and can at their own urgent entreaty obtain pardon. But it is not permitted to associate with those who are excommunicate, or to assemble even in private houses for prayer with those who do not pray with the Church, or to receive those who do not appear in one church into another. If it appears that a bishop, priest, deacon, or any other ecclesiastic associates with those out of communion, such an one shall be also excommunicated, because he disturbs the order of the Church.[3]

name of *Bibliotheca Ecclesiastica*). Commentaries on these canons were published by Beveregius, *l.c.* t. ii. *Annotat.* pp. 188 sqq.; Tillemont, *Mémoires*, etc., t. vi. pp. 135 sqq. ed. Brux. 1732; Van Espen, *Commentarius in Canones*, etc.; *Opus Posth.* p. 139 sqq. ed. Colon. 1755; *Tübinger Theol. Quartalschrift*, 1824, pp. 42 sqq. (by Dr. Herbst).

[1] Κανών = *ordo clericorum*, cf. Suicer, *Thesaurus*, s. h. v. and the sixteenth canon of the Synod of Nicæa; cf. vol. i. p. 422.

[2] Cf. the eighth Apostolical canon, and Kober, *Kirchenbann*, pp. 57 sqq.

[3] Cf. Kober, *Kirchenbann*, p. 382. Almost the same rules are found in the Apostolical canons, Nos. 9–12 incl.

3. If a priest, deacon, or any other ecclesiastic leaves his diocese and goes into another, thus changing his place of abode, and attempts to remain a long time in another diocese, he shall no longer perform any service of the Church (*i.e.* he shall be deposed), especially if he pays no heed to his own bishop's summons to return. If he persists in his irregularity, he shall be deposed from the ministry altogether, with no possibility of being reinstated. And if another bishop befriends one deposed for such offences, he shall also be punished by the common synod, because he transgresses the laws of the Church.[1]

4. If a bishop is deposed by a synod, or a priest or deacon by his bishop, and he presumes to perform any function whatsoever in the church as before, be it as bishop or deacon, he may no longer hope for reinstatement from another synod, nor for permission to defend himself; but all those who associate with him shall be excommunicated, especially if they presume to do so, knowing the sentence pronounced against him.[2]

5. If a priest or deacon, setting at nought his own bishop, separates himself from the Church, holds private assemblies, and sets up an altar, and disobeys the first and second summons of his bishop, who calls on him to return to his duty, he shall be wholly deposed, and shall no longer have any part in the ministry, neither shall he be allowed ever again to resume his office. If he continues to make divisions and disturb the Church, he shall be treated as a rebel by the secular power.[3]

6. A man excommunicated by his own bishop, if he is not again received by him, may not be received by any other until a synod shall be held, and he appears before it to defend

[1] This agrees with the Apostolical canons Nos. 3–16, and the sixteenth Nicene canon. Cf. Kober, *Deposition*, p. 44.

[2] This canon, which was employed for the confirmation of the deposition of Athanasius, and later for the overthrow of S. Chrysostom, is really only a repetition of the twenty-ninth Apostolical canon, and the Fourth General Council (in whose collection this canon was the eighty-third) had no hesitation in appealing to it, and having it read out word for word. Cf. Harduin, *Collect. Concil.* t. ii. p. 434.

[3] This canon is in all essentials identical with the thirty-first and thirty-second Apostolical canons, and was also cited by the Fourth General Council. Cf. Kober, *Kirchenbann*, p. 440.

himself, and succeeds in convincing the synod and obtaining a new decision. This rule includes laymen, priests, deacons, and all ecclesiastics.[1]

7. No stranger shall be received without a canonical letter.[2]

8. Country priests may not give canonical letters (letters of peace),[3] they may send letters only to the neighbouring bishops; but a blameless *chorepiscopus* has power to do so.

9. The bishops of every province must be aware that the bishop presiding in the metropolis (the civil capital) has charge of the whole province; because all who have business come together from all quarters to the metropolis.[4] For this reason it is decided that he should also hold the foremost rank, and that without him the other bishops should, according to the ancient and recognised canon of our fathers, do nothing beyond what concerns their respective dioceses and the districts belonging thereto; for every bishop has authority over his own diocese, and must govern it according to his conscience, and take charge of the whole region surrounding his episcopal city, ordaining priests and deacons, and discharging all his duties with circumspection. Further than this he may not venture without the metropolitan, nor the latter without consulting the other bishops.[5]

10. The bishops of the villages and country places called *chorepiscopi*, even if they have received consecration as bishops, must yet, so it was decided by the holy Synod, keep within their appointed limits, and content themselves with the care and government of the churches under them, and with appointing readers, subdeacons, and exorcists, not presuming to ordain a priest or deacon without the bishop of the

[1] The same is found in the thirty-third Apostolical, and in the fifth Nicene canon. Cf. Kober, *ut supr.* p. 221.

[2] Cf. the thirty-fourth Apostolical canon.

[3] Concerning the κανονικαὶ ἐπιστολαί, cf. Suicer, *Thesaur.* under the word κανονικός.

[4] Cf. Dr. Friedrich Maassen, *Primat. des Bischof von Rom und die alten Patriarchalkirchen*, Bonn 1853, p. 3. In ancient times the ecclesiastical and civil provinces had generally the same boundaries.

[5] Cf. *Canon Apostol.* No. 35.

city to which the *chorepiscopus* himself and the whole district is subject. If any one dares to infringe these rules, he shall be deprived of his dignity. A *chorepiscopus* is to be appointed by the bishop of the city to which he belongs.

11. If a bishop, priest, or any other ecclesiastic presumes to go to the Emperor without the consent of, and letters from, the bishops of the eparchy, and especially from the metropolitan, he shall not only be excluded from communion, but shall also be deprived of his rank, because he presumes to importune our God-beloved Emperor, contrary to the rules of the Church. But when compelled by necessity to go to the Emperor, he shall do so after inquiry, and with the consent of the metropolitan or the bishops of the eparchy, and shall take their letters with him. Kellner remarks, with reference to this, that deposition is here treated as a heavier punishment than exclusion from communion, and therefore the latter cannot mean actual excommunication, but only suspension.[1]

12. If a priest or deacon, deposed by his own bishop, or a bishop deposed by a synod, instead of appealing to a higher synod, and laying his supposed rights before a greater assembly of bishops, and awaiting their inquiry and decision, shall presume to importune the Emperor with his complaints, he shall not obtain pardon, neither may he defend himself or hope for reinstatement.[2]

13. No bishop shall venture to go from one eparchy into another, for the purpose of consecrating any one to any ecclesiastical office, even if he be accompanied by other bishops, unless he be summoned by letters from the metropolitan and the other bishops in connection with him into whose district he comes. If, however, contrary to rule, he comes without being summoned, in order to ordain some one, and meddle with church affairs which do not concern him, then that which he does shall be invalid, and he himself shall submit to the prescribed punishment of his disorderly

[1] Kellner, *Das Buss. und Strafverfahren*, p. 61.

[2] Cf. Kober, *Depos.* p. 388. The like is decreed by the twenty-ninth Apostolic canon. This rule, however, like Canon 4, would seem to have been purposely drawn up, or at least renewed and emphasized, by the Synod at Antioch with a view to Athanasius.

and indiscreet conduct prescribed by the holy Synod, which is *ipso facto* deposition.[1]

14. If a bishop is to be condemned for certain offences, and the bishops of the eparchy are divided in opinion concerning him, some holding him to be innocent and others guilty, the holy synod decrees, for the removal of all doubt, that the metropolitan of the neighbouring eparchy shall summon other bishops, who shall try the matter, clear up the doubt, and with the bishops of the province confirm the decision.

15. If a bishop accused of certain offences has been tried by all the bishops of the eparchy, and all have unanimously given sentence against him, he may not be tried again by others, but the unanimous decision of the bishops of the eparchy must hold good.[2]

16. If a bishop without a See forces himself into a vacant one, taking possession of it without the consent of a regular synod, he shall be deposed, even if he has been elected by the whole diocese into which he has intruded. A regular synod is one held in the presence of the metropolitan.[3]

17. If a bishop has received consecration, and been appointed to govern a diocese, but will not accept the post, nor be persuaded to set out for the church appointed him, he shall be excommunicated till he is prevailed upon to undertake the office, or till the full synod of the bishops of the eparchy has come to a decision concerning him.[4]

18. If a bishop does not go to the church to which he has been consecrated, not from any fault of his own, but either because the people will not receive him, or from some other cause over which he has no control, he shall retain his office

[1] Cf. *Canon Apost.* 36.

[2] Cf. Kober, *Depos.* p. 387. The right of appealing to a superior court, namely to Rome (cf. Synod of Sardica, c. 3–5), is here not generally forbidden, but only in cases where the sentence of the first court has been unanimous. Cf. Ballerin. *Ed. Opp. S. Leonis M.*, t. ii. p. 943.

[3] The General Council of Chalcedon in its eleventh sitting referred to our canon, which in its collection was the ninety-fifth. But a part of the sixth Nicene canon had already decreed the same.

[4] The first part of the thirty-seventh Apostolic canon gives a like rule. Our canon, however, with certain differences, was repeated at Chalcedon (*Sess.* xi.) as the ninety-sixth of the general collection. Harduin, *Collect. Concil.* t. ii. p. 551.

and dignity, only he must not interfere in the affairs of the church in the place where he dwells, and must accept whatever the full synod of the eparchy decrees about the matter.[1]

19. A bishop may not be consecrated without a synod, and without the presence of the metropolitan of the eparchy. If the latter be present, it is in all respects better that all his colleagues of the eparchy should be with him, and it is fitting that the metropolitan should summon them by letter. If all come, so much the better; if, however, there is any difficulty, at all events a majority must be present, or they must send their consent in writing, and thus the appointment of the new bishop must take place in the presence or with the consent of a majority. Should it take place in any other way, contrary to rule, the consecration shall be invalid; but if all be done in accordance with the prescribed canon, and yet some dispute it out of party spirit, it shall be decided by the votes of the majority.[2]

20. For the good of the Church and for the settling of disputes, it is ordered that in each eparchy a synod of bishops shall be held twice a year; the first after the third week after Easter, so that it may end in the 4th week of Pentecost.[3] To this it is the duty of the metropolitan to summon his colleagues of the eparchy. The second synod shall be held on the Ides (15th) of October, *i.e.* the 10th of the Asiatic month Hyperberetäns. At this synod, priests, deacons, and any who think that they have suffered any injustice, shall appear and have the matter investigated by the synod. It is, however, not allowed that bishops should hold synods without their metropolitan.[4]

21. A bishop may not be translated from one diocese to another, whether by obtruding himself or allowing himself to be forced thither by the bishops or people; but, according to an earlier rule,[5] he shall remain in, and not leave, that church to which from the first he was called by God.

[1] Cf. the second part of the thirty-seventh Apostolic canon.

[2] Cf. Canons 4 and 6 of the Council of Nicæa.

[3] πεντηκοστὴ comprehends the whole time between Easter and Pentecost, so that the 4th week of Pentecost is the 4th week after Easter. Cf. Bevereg. *Annot. ad Can.* 37 *Apostol.*

[4] Cf. *Canon Apost.* 38, and *Canon Nicæn.* 5; Kober, *Kirchenbann*, p. 222.

[5] *Canon Apost.* 14, *Nicæn.* 15.

22. A bishop may not go into any other city not under his jurisdiction, nor into a country district which does not belong to him, for the purpose of consecrating any one, nor appoint priests or deacons to parishes under the charge of another bishop, unless with his consent. If any bishop presumes to do this, the consecration shall be invalid, and he shall be punished by the synod.[1]

23. A bishop may not, even at the time of his death, appoint his successor. If he does so, the appointment shall be invalid. The rule of the Church is to be adhered to, which directs that a bishop may not be appointed otherwise than by a synod, according to the decision of those bishops who, after the death of his predecessor, have the right of choosing a worthy successor.[2]

24. It is fitting that the possessions of the Church should be guarded with care and in all good conscience, with faith in God, who sees and judges all. They must be managed under the supervision and direction of the bishop to whom the souls of the whole people in his diocese are entrusted. But it must be publicly known what is church property, and the priests and deacons surrounding the bishop must be thoroughly acquainted with the state of the case, so that at the bishop's death nothing appertaining to the Church may be lost, nor his private property be burdened under pretext of its belonging in part to the Church. For it is right and well-pleasing to God and man that the bishop's private property be left to whom he will, but the property of the Church preserved to her, that neither may the Church suffer wrong, nor the bishop lose anything on pretext of benefiting her, or his relations be involved in lawsuits, and he himself be exposed to being evil spoken of after his death.[3]

25. The bishop has power over the revenues of the Church, so that he may distribute them to all who are in need with all conscientiousness and godly fear. He may, however, if necessary, take what is needful for his own requirements and those of his brethren who come to him as guests, that they may lack nothing, in accordance with the words of the holy apostle:

[1] *Canon Apost.* 36.
[2] Cf. *Canon Apost.* 76.
[3] Cf. *Canon Apost.* 40b.

"Having food and raiment, let us be therewith content."[1] But if the bishop be not satisfied with this, but uses the Church property for his private purposes, not dealing with her revenues or the fruits of her lands according to the wishes of the priests or deacons, but gives over the control of them to his household, brothers, sons, or other relations, and thus secretly injures the revenue of the Church, he shall be called to account by the synod of the eparchy. If the bishop and his priests are evil reported of, as using for their own purposes what belongs to the Church, whether landed property or any other goods, and thus causing the poor to suffer, and the word of God and His stewards to be brought into evil repute, they shall be called to account, and the holy Synod shall decide what is right.[2]

The Synod sent these twenty-five canons to all the other bishops, with a short letter, desiring that they should be everywhere received. The Greek version of this letter bears no signature; but the old Latin translations bear the names of about thirty bishops, varying, however, in the different versions. As among the signatures of the bishops there appears the name of one who was then certainly not living, and as the names of precisely those bishops are wanting who held the first rank at the Synod of Antioch in 341, the Ballerini brothers made use of this, as we know, in support of their hypothesis.[3]

It has been further thought remarkable, that in the salutation of the accompanying letter only the provinces of the patriarchate of Antioch are mentioned, whereas bishops from other parts had been present at the Synod of 341. But as in the heading of the old Latin version (*Prisca*)[4] the names of the Antiochian provinces are entirely wanting, it is quite possible that a later writer gathered the names of the provinces from the signatures of the bishops, and interpolated them, so that neither can this circumstance be employed in favour of the Ballerini hypothesis.

It can hardly be denied that at the drawing up of these canons the ascendancy of the Eusebians had already made itself

[1] 1 Tim. vi. 8.
[2] Cf. *Canon Apost.* 41.
[3] Cf. *supr.* pp. 58–64.
[4] Mansi, t. vi. p. 1159.

felt, and that they established canons four and twelve especially out of enmity to Athanasius. The fourth canon was, indeed, at the same time intended to oppose the intention of Pope Julius to hold a fresh synod for investigating the affair of Athanasius. If this was the case, and if at the drawing up of the canons a certain want of independence was shown by the remaining bishops at Antioch in presence of the Eusebians, it was only a natural step in advance for the latter again to confirm the former deposition of S. Athanasius. The Eusebian character of this synod on the one hand, and the statements of Socrates and Sozomen on the other, justify us in accepting the fact of this confirmation.[1] Both, indeed, represent the matter as if Gregory was now first chosen bishop of Alexandria, and Athanasius only now deposed. Yet what has been already said obliges us to suppose that if the Synod *in Encæniis* dealt at all with the affair of S. Athanasius, it only confirmed the sentence of an earlier Antiochian Synod.

But it will be asked how it was possible that the orthodox party of the bishops at Antioch should have concurred in the deposition of S. Athanasius? The true answer to this also is shown by distinguishing dates. We identify the affair of Athanasius with that of the Nicene faith. But at that time even the orthodoxy of Athanasius was not unquestioned by all, as it is known that he was reproached for holding views which made too little distinction between the Persons of the Trinity, and thus reviving Sabellianism. Even a friend of Athanasius, Marcellus of Ancyra, who had stood in the forefront with him at Nicæa against Arius, had been shortly before accused, and, it seems, not unjustly, of a sort of Sabellianism, and therefore deposed. To this were added the other accusations, old and new, which had been in part at least believed by orthodox men, such as the Emperor Constantine. Even Pope Julius shortly before, when about to convoke the synod above mentioned, was not by any means fully persuaded of the innocence of Athanasius, but meant to hold an investigation in order to bring his guilt or innocence to light.[2] If we assume among the orthodox bishops of the

[1] Socrat. ii. 8; Sozom. iii. 5.

[2] Cf. his letter in Athanas. *Apol. c. Arian.* c. 23, 34, 35.

Antiochian Synod such vacillation and indecision with regard to Athanasius, it might surely have been possible for the clever and energetic Eusebians, especially producing as they did false and one-sided documents[1] by way of proof against him, to prejudice many of their colleagues against him, and to represent him as deserving punishment.

According to Socrates and Sozomen, the synod now proceeded to the drawing up of creeds, the wording of which Athanasius gives us most accurately.[2] The first and earliest creed says: "We are no adherents of Arius; for how should we, being bishops, become followers of a presbyter? Neither do we hold any other faith than that which from the beginning was delivered; but after having tried and examined the faith of Arius, we would rather have brought him to us than that we should have inclined to him, which the following will show. From the beginning we have learnt to believe in one God, the God of all, the Creator and Preserver of things spiritual and material; and in one only-begotten Son of God, existing before all times, and with the Father, by whom He was begotten; by whom all things were made, both visible and invisible; who also in the last days, according to the good pleasure of the Father, came down and took flesh of the Virgin, and fulfilled the whole will of the Father. (We believe) that He suffered, was raised from the dead, and returned into heaven; that He sits at the right hand of the Father, and shall come again to judge the living and the dead, and remains God and King to all eternity. We believe also in the Holy Ghost; and if we are to add anything else, we believe also concerning the resurrection of the flesh, and the life everlasting."[3]

This creed plainly has an apologetic aim, to remove from the authors any suspicion of Arianism; and there is therefore no doubt that it was the Eusebian party who proposed it to the rest of the synod, and, as Athanasius intimates, sent it in

[1] For instance, the acts of the Mareotic investigation.

[2] Socrat. ii. 10; Sozom. iii. 5.

[3] Athanas. *de Synodis*, c. 22. This and the three following Antiochian Creeds are also printed in Mansi, *Coll. Concil.* t. ii. pp. 1339 sqq.; and Harduin, *Coll. Concil.* t. i. pp. 606 sqq.

encyclical letters to other bishops. We might therefore, if we were not hindered by the chronological statements of Socrates and Sozomen, place the drawing up of this creed quite at the commencement of the Antiochian Synod, and assume that the Eusebians handed in this formula at once at the opening of the Council, in order to gain the confidence of their colleagues. In fact it is quite orthodox, only it avoids the term ὁμοούσιος, because the Eusebians were suspicious of this expression, regarding it on the one hand as a possible cloak for the Sabellians, and on the other as capable of being understood as dividing the Divine Essence into three parts.

Somewhat later the synod published a second creed, said to have been previously drawn up by the martyr Lucian.[1] The reason for this we find given by Hilary, when he says, *Cum in suspicionem venisset unus ex episcopis, quod prava sentiret.*[2] It is the opinion of Baronius that this *unus* was that Gregory of Cappadocia whom they intended to make bishop of Alexandria; the Benedictine editors, on the contrary, in their note upon this passage, would have it to refer to the whole party of Eusebians. This is surely wrong, for it appears from the contents of this second creed that it was directed against supposed Sabellians, probably against Marcellus of Ancyra;[3] and the third creed, as also S. Hilary's own statement, expressly confirm this. The second creed runs thus: "We believe, according to the Evangelic and Apostolic tradition, in one God, the Father Almighty, the Author, Creator, and Preserver of all things, from whom all things are; and in one Lord Jesus Christ, the only-begotten God, through whom are all things; Begotten of the Father before all times: God from God, Whole from the Whole, Perfect from the Perfect, King from the King, Lord from the Lord, the Living Word, the Living Wisdom, the True Light, the Way, the Truth, the Resurrection, the Shepherd, the Door, Unchangeable and Immutable; the Co-equal Image

[1] Cf. Sozom. iii. 5. Concerning Lucian, the teacher of Arius, see above, vol. i. pp. 238, 9. Also an Arianizing Synod of Caria, under Emperor Valens, repeated this creed; see Mansi, iii. 398, and Sozom. vi. 12.

[2] Hilary, *de Synodis*, c. 28.

[3] Cf. against this, Zahn, *Marcellus of Ancyra*, p. 73.

of the Godhead, the Being, the Will, the Might, and the Glory of the Father; the First-born of all creation, who in the beginning was with God, God the Word, as it is written in the Gospel, 'and the Word was God,' by whom all things were made, and in whom all things live; who in the last days came down from heaven, and was born of a Virgin, according to the Scriptures, and became Man, the Mediator between God and man, the Apostle of our faith, and the Author of Life, as He says, 'I came down from heaven, not to do Mine own will, but the will of Him that sent Me;'[1] who suffered for us, and on the third day rose again, and ascended into heaven, and sitteth on the right hand of the Father, and shall come again with glory and might to judge the living and the dead. And we believe in the Holy Ghost, who is given to the faithful for comfort, for sanctification, and for perfecting, as also our Lord Jesus Christ has commanded, speaking to His apostles, 'Go, teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost,' that is, of the Father, who is truly Father, of the Son, who is truly Son, and of the Holy Ghost, who is truly Holy Ghost: and these names are not idle and without purpose, but show exactly the peculiar hypostasis, order, and position of Those named, so that in Their Persons They are Three, but in agreement One. Now as we hold this faith, and have it even from the beginning to the end from God and Christ, we anathematize every heretical and false doctrine. And if any one, contrary to the sound and true teaching of the Scriptures, says that there was, or has been, a time (*χρόνον ἢ καιρὸν ἢ αἰῶνα*) before the Son was begotten, let him be anathema. And if any one says the Son was created as one of the creatures, or begotten as anything else is begotten, or made as any other thing is made, and not according to what has been delivered by the Holy Scriptures;[2] or if any one teaches or proclaims anything else other than what we have received, let him be anathema. For we believe and follow in truth and honesty all which is delivered by the Holy Scriptures, as well as by the prophets and apostles."

[1] John vi. 38.

[2] Socrates and Hilary (*de Synodis*, c. 30) did not read *ἕκαστον ἀφ' ἑκάστου*, but only *ἕκαστα*.

As is easily seen, this creed, too, contains no positive heresy; for though it says, "the Son is not created like any creature," yet by this the Son is not classed among the creatures, or it would be, "He is not created as the other creatures;" and, moreover, the meaning of this short passage is shown by what follows, where it is only implied that the expressions begotten, created, and made, are not altogether fit terms to be applied to the Son. The following words, "so that They (Father, Son, and Holy Ghost) are in Person Three, but in agreement One," may more reasonably be found fault with, as Hilary has already done, observing that this is spoken less accurately.[1] But not even thence has he inferred any charge of heterodoxy and Arianism, but has rather sought to show that this formula, without having the word ὁμοούσιος, yet contains the orthodox doctrine.[2] He rightly saw, also, that this creed declared itself with a certain emphasis against Sabellianism in the following passage: "of the Father, who is truly Father, of the Son, who is truly Son, and of the Holy Ghost, who is truly Holy Ghost;" and if he adds that this (Sabellian) heresy had sprung up again after the Council of Nicæa, and that on that account chiefly the Synod of Antioch intended to condemn it, he means, doubtless, the doctrine of Marcellus of Ancyra.[3]

This is set beyond all doubt by the third creed, which the Bishop Theophronius of Tyana laid before the synod, and which it sanctioned and subscribed. It is found in Athanasius, *De Synodis*, c. 24, and runs thus: "God, whom I call to witness, knows that I believe thus: in God, the Almighty Father, the Upholder and Creator of all things, from whom all things are; and in His only-begotten Son, God, Word, Power, and Wisdom, our Lord Jesus Christ, through whom all things are, who is begotten of the Father, before all times, Perfect God from Perfect God, who is with God in hypostasis:[4] who in the last days came down, and was born of the Virgin, according to the Holy Scriptures, became Man, suffered, and

[1] Hilary, *l.c.* c. 31. If the synod understood ὑπόστασις to mean substance, as did many Arians, then this expression was certainly heretical. Cf. Möhler, *Athanas.* ii. 57, 58.

[2] Cf. Möhler, *Athanas.* ii. 57.

[3] Hilar. *l.c.* c. 32.

[4] That is, "as personal Being, is with God," Möhler, *Athanas.* ii. 58; or, "is with God in His own Person," Baur, *Lehre der Dreieinigkeit*, i. 477.

rose again from the dead, and returned into heaven, and sitteth on the right hand of His Father, and will come again with glory and might to judge the living and the dead, and abides for everlasting. And (I believe) in the Holy Ghost, the Paraclete, the Spirit of Truth, of whom God spake before by the Prophets, that He would pour out His Spirit upon His servants;[1] and the Lord promised that He would send Him to His disciples, whom He has also sent, as the Acts of the Apostles testify. If any one teaches or believes contrary to this faith, let him be anathema. And whoever holds with Marcellus of Ancyra, or Sabellius, or Paul of Samosata, let him, and all who take part with him, be anathema."

A few months later, a fourth confession of faith was drawn up by a fresh assembly of Eastern bishops (a continuation of the synod), and sent by four bishops, Narcissus of Neronias, Maris of Chalcedon, Theodore of Heraclea, and Marcus of Arethusa in Syria, to the Western Emperor Constans,[2] who had demanded an explanation of the grounds of the deposition of Athanasius and Paul of Constantinople.[3] If Socrates were right, this new formula would not have proceeded from the Antiochian Synod itself, but would rather have been composed by the bishops before mentioned, and sent to the Emperor instead of the Antiochian formula (the second or third) which they concealed on their persons. It runs thus: "We believe in one God, the Almighty Father, the Author and Creator of all things, from whom is all Fatherhood in heaven and on earth; and in His only-begotten Son our Lord Jesus Christ, begotten of His Father before all times;— God from God, Light from Light, through whom all things were made in heaven and on earth, visible and invisible; who is the Word and the Wisdom, and Power and Life, and the true Light: who in the last days for our sakes became Man, and was born of the holy Virgin, was crucified, dead, and buried, and rose again from the dead on the third day, and was received again into heaven, and sitteth on the right hand of the Father, and will come in the end of time to judge the living and the dead, and to reward every one according to his works: whose kingdom shall have no end, for He sits on the right hand of the

[1] Joel ii. 28. [2] Athanas. *De Synodis*, c. 25. [3] Socrat. ii. 18.

Father, not only in this present time, but also for the future. And (we believe) in the Holy Ghost, the Paraclete, whom He promised to the Apostles, and sent after His ascension into heaven, to teach them and to call all things to their remembrance, through whom also the souls which sincerely believe in Him are saved. Those, however, who say that the Son is of nothing (ἐξ οὐκ ὄντων), or of another hypostasis (ἐξ ἑτέρας ὑποστάσεως),[1] and not of God, and that there was a time when He did not exist (ἦν ποτε χρόνος ὅτε οὐκ ἦν), are considered by the Catholic Church as aliens."

We see at once that these four confessions of faith bear one and the same character. Throughout, there is an evident endeavour to approach as closely as possible to the Nicene faith, without, however, accepting the obnoxious ὁμοούσιος. The anathemas especially, taken from Nicæa, and placed at the end of the fourth formula, were intended to attest the orthodoxy of the author. Therefore Schelstraten, Remi Ceillier, and Pagi have certainly no ground for ascribing the three first creeds to the orthodox Antiochian Synod, and the fourth to the Arian cabal.[2] All these four creeds are alike in their chief points; none of them are strictly Arian, and none quite orthodox, but all are such that one recognises them as undoubtedly the work of the Eusebians, but received by the orthodox bishops as containing nothing heretical, but rather a direct refutation of the main points of Arianism. Even S. Hilary of Poitiers does not judge the second of these formulas (he does not speak of the others) unfavourably, but interprets it in the orthodox sense. Nor does Athanasius call them heretical; but he does not judge them so leniently as Hilary, and sees in them throughout only an attempt of the Eusebians to deceive the rest of the Christian world as to their heretical views.[3]

Now, if we have, as I believe, represented the matter in the right light, and viewed what took place, not from our own standpoint, where the line of separation and opposition is sharply drawn between the rival parties, but from the

[1] ὑπόστασις, used in the sense of substance. Cf. *supr.* vol. i. p. 298, note 1.
[2] Pagi, *l.c.* ad ann. 341, n. 14 sqq. and 34; Ceillier, *l.c.* p. 661 and 647.
[3] Athanas. *De Synodis*, c. 22 sqq.

standpoint of that period of fermentation when the middle parties had not distinctly separated themselves, we can solve the perplexing question raised at first. As we know, it has seemed to many impossible that the members of that Synod, who confirmed the deposition of S. Athanasius, and drew up Arianizing creeds, could afterwards have been called by the orthodox party *Sancti Patres*, and their canons quoted by Church authorities. But if we assume, *first*, that the majority of the members of the Council at Antioch consisted of orthodox bishops, among whom might have been men of the greatest personal worth, such as Dianius of Cæsarea;[1] and, *secondly*, that the canons which they gave were in truth salutary and right,—then great part of the original difficulty disappears.

To this it must be added, that these orthodox fathers did not condemn Athanasius out of malice, or even heretical feelings, but because they were misled by others; therefore they can no more be severely judged for this deed than can S. Epiphanius, for instance, for his persecution of S. Chrysostom. In this latter case one Saint was very energetic in his efforts to overthrow the other, and to drive him from his bishopric; and shall we therefore question his saintliness? Like him, the orthodox bishops of Antioch might have acted throughout *bona fide*. As the books of S. Epiphanius were not rejected, because he had been persuaded into his ill-usage of S. Chrysostom, so neither could or might the canons of the Antiochian Synod be rejected, because the orthodox majority had been led by the Eusebians into false steps. Finally, it must not be forgotten, that if the canons of the Antiochian Synod are spoken of as *Canones Sanctorum Patrum*, and their second creed is said to be published by a *Congregata Sanctorum Synodus*,[2] still no one intended thereby to canonize the members of the Antiochian Synod as a body. If we understand the expression "holy," in the sense of the ancient Church, as a title of honour, then a great part of the difficulty disappears.

[1] See above, pp. 58, 66.

[2] Hilary, *De Synodis*, c. 32.

SEC. 57. *Vacancy of the See of Constantinople. Athanasius in the West. Preparations for the Synod of Sardica.*

Soon after this Synod *in Encæniis*, Eusebius of Nicomedia, or Constantinople, died, and the orthodox party of the latter city again made the banished Paul bishop: the Arians, on the other hand, led by Theognis of Nicæa and Theodore of Heraclea, who were then in Constantinople, assembled in another church and elected Macedonius. This threw the whole town into commotion, and regular battles took place between the two parties, causing the loss of several lives. The Emperor Constantius, who was just then staying in Antioch, upon receiving this news, at once gave orders for Paul to be again banished; but the people offered forcible resistance, in which General Hermogenes was murdered, his house set on fire, and his corpse dragged about the streets. The Emperor then came himself in haste, intending to take severe vengeance on the people; but the Constantinopolitans went to meet him, weeping and bemoaning themselves, so that he only punished them slightly, and banished Paul, but did not confirm the election of Macedonius, because he had accepted the election without his consent, and thus occasioned these deplorable events.[1] When, some time later, Bishop Paul again ventured to return to Constantinople, Constantius had him arrested by the Prefect of the Prætorians, Philip, and banished him to Thessalonica, which again caused a great tumult, and led to the death of more than three hundred persons.[2]

Even before this, towards the end of their Antiochian Synod, the Eusebians had tried to win over the Western Emperor Constans also. The latter, upon hearing of the events in Alexandria, the deposition of Athanasius, etc., had addressed a letter to his brother Constantius, soliciting an explanation. The Antiochians therefore sent the envoys previously mentioned, Narcissus, Maris, Theodore, and Marcus, to Gaul to the Emperor Constans, to deliver to him the fourth Antiochian Creed.[3] Constans sent them away, however, without having

[1] Socrat. ii. 12, 13; Sozom. iii. 7. [2] Socrat. ii. 16.
[3] Athanas. *De Synodis*, c. 25; Socrat. ii. 18; Sozom. iii. 10.

gained their end,[1] and one of the most influential bishops in his neighbourhood, Maximin of Trèves, refused the synodal envoys all Church communion.[2] Athanasius was at this time still in Rome, where he spent altogether more than three years,[3] because the Emperor Constantius persistently refused to allow him to return to Alexandria,[4] and even tried in every way to obtain the consent of Rome to his deposition, as their contemporary the heathen historian Ammianus Marcellinus relates.[5] It is not known what Athanasius did during this long time in Rome; and he himself only says briefly that he gave his time to the Church conferences, and at the wish of the Emperor Constans composed his index of the Holy Scriptures,[6] *πυκτία τῶν θείων γραφῶν*, which has since been lost. In the fourth year, however, of his stay in Rome, therefore in the summer of 343, the Emperor Constans summoned him to come to him at Milan, and informed him that a number of bishops, especially Pope Julius, Hosius of Cordova, and Maximin of Trèves, had expressed a wish that he should use his influence with his brother Constantius to assemble a great synod, by which the existing complications might be settled.[7] Other bishops also, deposed by the Eusebians,—for instance, Paul of Constantinople,—begged for the same, and Athanasius himself fully agreed with them.[8] Constans now wrote to his brother, and gained his consent to assemble the great Synod of Sardica; before, however, this could take place, he first sent S. Athanasius from Milan to Gaul, that he might there meet Hosius, and, in company with him and the Gallican bishops, travel at once to Sardica in Illyria.[9]

According to the general view based upon Socrates and Sozomen,[10] the Eusebians had again held an assembly in

[1] See *supr.* p. 80. [2] Hilarii, *Opp. Fragm.* iii. c. 27, p. 1322, ed. Bened.

[3] Athanas. *Apol. ad Constant.* c. 4.

[4] Sozom. iii. 11. According to Socrat. ii. 20, the tumults in Alexandria had made the return of Athanasius impossible.

[5] Ammian. lib. xv. Cf. the notes of Valesius with Socrat. ii. 8.

[6] Athanas. *Apolog. ad Constant.* c. 4; Remi Ceillier, *l.c.* t. v. p. 280.

[7] Athanas. *Apolog. ad Constant.* c. 4, p. 236, t. i. P. i. ed. Patav.; Hilar. *Pictav. Fragm.* iii. p. 1315, ed. Bened.

[8] Socrat. ii. 20; Sozom. iii. 11; Theodoret, *Hist. Eccl.* ii. 4.

[9] Athanas. *Apolog. ad Constant.* c. 4, p. 236.

[10] Socrat. ii. 19, 20; Sozom. iii. 11.

Antioch before the Synod of Sardica, and had then drawn up a very long confession of faith, the μακρόστιχος, which was forthwith sent by a synodal deputation to the Western bishops assembled at Milan. Of this new Antiochian Synod and formula Athanasius, too, speaks very circumstantially,[1] expressly stating that it took place three years after the Synod *in Encæniis*. We shall see, however, that this Synod is not to be placed before, but after that of Sardica, and that the assembly at Milan, to whom the formula was delivered, did not meet at the time of the sojourn of the Emperor Constans and S. Athanasius in that city just referred to, but that it was a later Milanese Synod which took place after the Council of Sardica.

[1] *De Synodis*, c. 26, p. 589, t. i. P. ii. ed. Patav.

BOOK IV.

THE SYNODS OF SARDICA AND PHILIPPOPOLIS.

Sec. 58. *Date of the Synod of Sardica.*

OUR inquiries concerning the Synod of Sardica must begin with a chronological examination of the date of this assembly. Socrates and Sozomen[1] place it expressly in the year 347 A.D., with the more precise statement that it was held under the Consuls Rufinus and Eusebius, in the eleventh year after the death of Constantine the Great; therefore after the 22d of May 347, according to our way of reckoning.[2]

This was the most general view until, rather more than a hundred years ago, the learned Scipio Maffei discovered at Verona the fragment of a Latin translation of an old Alexandrian chronicle (the *Historia Acephala*, already cited in p. 50), and edited it[3] in the third volume of the *Osservazioni Letterarie* in 1738. This fragment contains the information that on the 24th Phaophi (October 21), under the Consuls Constantius IV. and Constans II., in the year 346, Athanasius had returned to Alexandria from his second exile. As it is universally allowed, however, as we shall presently show more clearly, that this return certainly only took place about two years after the Synod of Sardica, Mansi hence saw the necessity of dating this synod as early as the year 344.[4]

[1] Socrat. ii. 20; Sozom. iii. 12.

[2] Constantine the Great died on the 22d of May 337, as we said before at p. 38.

[3] Also printed in the Patavian edition of *Opp. S. Athanasii*, t. iii. p. 89 sqq.

[4] This he did in his dissertation *De Epochis Sardicensium et Sirmiensium Conciliorum*, which has become famous; first printed in vol. i. of his *Supplem.*

In this he is confirmed by S. Jerome,[1] in the continuation of the Eusebian chronicle, who, in accordance with the *Historia Acephala*, has assigned the return of S. Athanasius to the tenth year of the reign of the Emperor Constantius, in 346.

Many learned men now followed Mansi, the greater number blindly; others, again, sought to contradict him: at first the learned Dominican, Mamachi;[2] then Dr. Wetzer[3] (Professor at Freiburg); and latterly, we ourselves in a treatise, "Controversen über die Synode von Sardika," in the *Tübinger Theol. Quartalschrift*,[4] 1852.

Soon after there was a fresh discovery. Some of the *Paschal Letters* of S. Athanasius, which until then were supposed to be lost, were discovered in an Egyptian monastery, with a very ancient preface translated into Syriac, and were published in that language by Cureton in London, and in the year 1852 in German by Professor Larsow[5] at the Grey Friars Convent in Berlin.

Among these *Festal Letters*, the nineteenth, intended for Easter 347, and therefore composed in the beginning of that year, had been re-written in Alexandria, as the introduction expressly states.[6] This confirms the statement of the *Historia Acephala*, that Athanasius was already returned to Alexandria in October 346, and confirms the chief points of Mansi's hypothesis; while, on the other hand, it unanswerably refutes, by Athanasius' own testimony, the statements of Socrates and Sozomen (which, from their dependence on each other, only count as one) with reference to the date 347.

As we said, Mansi placed this Synod in the year 344; but the old preface to the *Festal Letters* of S. Athanasius dates it

Concil. p. 173 sqq., and afterwards in vol. iii. of his large *Collectio Conciliorum*, pp. 87–123.

[1] Cf. the Migne edition of the works of S. Jerome, t. viii. p. 682.

[2] Mamachi, ad Joh. D. Mansium *de ratione temporum Athanasianorum*, etc., *Epistolæ* iv. Romæ 1748.

[3] Wetzer, *Restitutio Veræ Chronologiæ Rerum ex Controversiis Arianis . . . Exortarum*, Francof. 1827.

[4] *Tübinger Theol. Quartalschrift*, No. iii. pp. 360 sqq.

[5] Cf. my review of Larsow's book in the *Tübing. Quartalschrift*, 1853, Heft i. p. 146 sqq., and above, page 3, note 3.

[6] Larsow, the *Festal Letters* of S. Athanasius, etc., p. 141.

in the year 343,[1] and in fact we can now only hesitate between the dates 343 and 344.[2] If the preface were as ancient and as powerfully convincing as the *Festal Letters* themselves, then the question concerning the date of the Council of Sardica would be most accurately decided. As, however, this preface contains mistakes in several places, especially chronological errors,—for instance, regarding the death of Constantine the Great,[3]—we cannot unconditionally accept its statement as to the date 344, but can only do so when it corresponds with other dates concerning that time.

Let us, at all events, assume that Athanasius came to Rome about Easter 340.[4] As is known, he was there for three whole years, and in the beginning of the fourth year was summoned to the Emperor Constans at Milan.[5] This points to the summer of 343. From thence he went through Gaul to Sardica, and thus it is quite possible that that Synod might have begun in the autumn of 343.[6] It probably lasted, however, until the spring; for when the two envoys, Euphrates of Cologne and Vincent of Capua, who were sent by the Synod to the Emperor Constans, arrived in Antioch, it was already Easter 344. Stephen, the bishop of the latter city, treated them in a truly diabolical manner; but his wickedness soon became notorious, and a synod was assembled, which deposed him after Easter 344.[7] Its members were Eusebians, who

[1] Larsow, *l.c.* p. 31, No. 15. This preface belonged originally to another collection of the *Festal Letters* of S. Athanasius, now extant, and was added to those newly discovered by a later copyist. See Glück, in the Vienna *Acad. der Wissenschaft. Philos. Histor.*, Klasse 1855, Bd. 17, S. 65.

[2] Both dates are combined in a peculiar manner in the heading of an ancient codex of the decisions of Sardica, in Harduin, *Collect. Concil.* t. i. p. 635. Here it is said that the Synod had been held under the Consuls Leontius and Sallustius (in the year 344) in the 381st year of the (Spanish) Aera (343, according to Dionysius' reckoning). Cf. concerning the Spanish Aera, my treatise "Aera" in vol. i. of the *Kirchenlexicon* of Wetzer and Welte.

[3] There is more on this subject in my review of Larsow's book, *Quartalschrift*, 1853, p. 163 sqq. Cf. also above, p. 14, note 1; p. 38, note 3.

[4] See above, p. 50 sq.

[5] See above, p. 84.

[6] If we went upon the supposition that Athanasius had already fled from Alexandria to Rome about Easter 339, then of course we could still less place the Synod of Sardica later than 343, but rather in the beginning or middle of that year, and we might suppose the stay of S. Athanasius in Milan and Gaul, perhaps also in Rome, to have been somewhat longer (perhaps one or two months longer).

[7] Athanas. *Historia Arianor. ad Monachos*, c. 20, p. 281, t. i. P. i. Ed. Patav.

therefore appointed Leontius Castratus as Stephen's successor, and it is indeed no other than this assembly which Athanasius has in mind, when he says it took place three years after the Synod *in Encæniis*, and drew up a very explicit Eusebian confession of faith,[1] the μακρόστιχος.

The disgraceful behaviour of Bishop Stephen of Antioch for some time inclined the Emperor to place less confidence in the Arian party, and to allow Athanasius' exiled clergy to return home in the summer of 344. Ten months later, the pseudo-bishop, Gregory of Alexandria, died (in June 345, as we shall show later), and Constantius did not permit any fresh appointment to the See of Alexandria, but recalled S. Athanasius by three letters, and waited for him more than a year.[2] Thus the See of Alexandria remained unoccupied for more than a year, until the last six months of 346. At length in October 346 Athanasius returned to his bishopric.

We see, then, that by accepting the distinct statements of the *Paschal Letters* of S. Athanasius and the preface, we obtain a satisfactory chronological system, in which the separate details cohere well together, and which thus recommends itself. One great objection we formerly raised ourselves against the date 344[3] can now be solved. It is certainly true that in 353 or 354 Pope Liberius wrote thus: "Eight years ago the Eusebian deputies, Eudoxius and Martyrius (who came to the West with the formula μακρόστιχος), refused to anathematize the Arian doctrine at Milan." But the Synod of Milan here alluded to, and placed about the year 345, was not, as we before erroneously supposed, held before the Synod of Sardica, but after it.[4] We are somewhat less fortunate as regards another difficulty. The Eusebians assembled at Philippopolis (the pseudo-Synod of Sardica) say, in their synodal letter: "Bishop Asclepas of Gaza was deposed from his bishopric seventeen years ago." This deposition occurred at an Antiochian Synod.[5] If we identified this Synod with the

[1] Athanasius, *De Synodis*, c. 26, p. 589, t. i. P. ii. ed. Patav. Cf. above, p. 65.

[2] Athanas. *Hist. Arian. ad Monachos*, c. 21, p. 281 sq.

[3] *Tübing. Theol. Quartalschrift*, 1852, p. 376.

[4] See above, p. 85.

[5] Athanas. *Apolog. c. Arian.* c. 47, p. 130, ed. Patav. See above, p. 9.

well-known one of 330, by which Eustathius of Antioch also was overthrown, we should, reckoning the seventeen years, have the year 346 or 347, in which to place the writing of the Synodal Letter of Philippopolis, and therefore the Synod of Sardica. There are, however, two ways of avoiding this conclusion: either we must suppose that Asclepas had been already deposed a year or so before the Antiochian Synod of 330; or that the statement as to the number seventeen in the Latin translation of the Synodal Letter of Philippopolis (for we no longer possess the original text) is an error or slip of the pen. But in no case can this Synodal Letter alter the fact that Athanasius was again in Alexandria when he composed his Paschal Letter for the year 347, and that the Synod of Sardica must therefore have been held several years before.

Sec. 59. *Object of the Synod of Sardica.*

As the Synod itself says,[1] it was assembled by the two Emperors, Constans and Constantius, at the desire of Pope Julius,[2] with a threefold object: first, the removal of all dissensions, especially concerning Athanasius, Marcellus of Ancyra, and Paul of Constantinople; secondly, the rooting out of all false doctrine; and thirdly, the holding fast by all of the true faith in Christ.

The Synod, in another letter, says somewhat differently, that the three points concerning which they had to treat were: (1) the false doctrine taught by some; (2) the deposition of several bishops; and (3) the cruel acts of violence practised upon

[1] In its *Epist. Encycl.* in Athanas. *Apolog. c. Arian.* c. 44; also in Mansi, *Collect. Concil.* t. iii. p. 58.

[2] Cf. above, p. 84. Supported by a statement of Socrates, ii. 20, Binius (in his Notes on the Council of Sardica in Mansi, *l.c.* p. 75), and after him others, have maintained that Pope Julius had assembled this Synod. Socrates, *l.c.*, says: "Many who did not appear at Sardica had tried to excuse their absence on the plea of the short space of time, and to throw the blame on Pope Julius." It cannot, however, be denied that Socrates here confuses the Synod of Sardica with that of Rome (see above, p. 53), and that he ascribes to the former what was said of the latter Synod in Athanas. *Apolog. c. Arian.* c. 25. The question as to who assembled the Synod of Sardica is treated of particularly by Natal. Alex. *Hist. Eccl.* sec. iv. *Diss.* 27, artic. i. p. 454, ed. Venet.

many bishops, priests, and other clerics.[1] We easily see that in both these passages the second and third points hang together; and the object of the Emperors, as well as that of all those who had taken any part in assembling the Synod, was therefore the following:—*first*, that as the Western and Eastern bishops had hitherto considerably differed in their judgments of Athanasius and others, so now a great Ecumenical Council should give a final decision on this matter, in order that peace might be restored in Church and State; *secondly*, that as the continual machinations of the Eusebians, and especially their great levity in drawing up four different creeds in the course of a few months, had destroyed all the security and stability of the Church's faith, and made it appear as variable as the fashions, there was urgent need for a great synod to give a distinct decision upon this point also.

In order, if possible, to secure the presence of many members at such a synod, Sardica or Serdica was chosen as the place of assembly; because this town, though indeed belonging to the portion of the Emperor Constantius, was situated nearly on the borders of the two divisions of the empire, and in the centre of the great whole.[2]

Sec. 60. *Members and Presidency of the Synod of Sardica.*

The first to arrive at Sardica were the Western bishops, to whom many Greek bishops, zealous in the Nicene cause, had joined themselves; but the Eusebian party also, in obedience to the imperial summons, set out without delay, confident of being able there, too, to maintain their former decisions

[1] In the letter from the Synod to Pope Julius in Mansi, t. iii. p. 40; and Harduin, t. i. p. 653.

[2] Sardica (Ulpia Sardica), formerly belonging to Thrace, afterwards the capital of Dacia Ripensis, was situated in the so-called Illyricum Orientale, and therefore belonged to the empire of Constantius, but still to the Roman patriarchate (see vol. i. p. 400; and cf. Wiltsch, *Kirchl. Statistik*, Bd. i. secs. 44, 80, 88). Attila destroyed this city; but it was rebuilt, and still exists under the name of Sophia (Triaditza) in Turkey in Europe, lying 59 miles west of Constantinople. It has now about 50,000 inhabitants, of whom 6000 are Christians, and is the seat of a Greek metropolitan and an Apostolic (Catholic) vicariate. But the Vicar-Apostolic of Sophia has lived for some time in the neighbouring Philippopolis, which played so great a part in the history of the Synod of Sardica.

against Athanasius and their other adversaries. In this they relied chiefly upon the protection of the Emperor Constantius, and two officers of high standing, Musanius and Hesychius, whom he had sent with them to Sardica.[1]

The ancient writers differ very much as to the numerical strength of the two parties present; but by comparison it can be decided with at least approximate accuracy. The Eusebians themselves in their synodal letter[2] assert that they were eighty in number. Among the signatures to the letter, there appear, indeed, only seventy-three names; but these do not include the bishops, Maris of Chalcedon, Macedonius of Mopsuestia, and Ursacius of Singidunum, who, as we know from other sources, were present at Sardica.[3] If we add these names, we have the number seventy-six on which Socrates and Sozomen[4] are entirely agreed, the former of whom, moreover, appeals to the still earlier testimony of Sabinus of Heraclea.[5] The most important of these Eusebians were Stephen of Antioch, Acacius of Cæsarea in Palestine, Theodore of Heraclea, Marcus of Arethusa, Eudoxius of Germanicia, Basil of Ancyra (afterwards the head of the Semi-arians), Valens of Murcia, Demophilus of Berœa, and the previously mentioned Maris of Chalcedon, Macedonius, and Ursacius; Dianius of Cæsarea in Cappadocia, who was not exactly a Eusebian,[6] and the notorious Ischyras, were also in their company.[7]

Far more uncertain are the statements regarding the Western bishops, or rather the orthodox Nicene party, of whom Socrates and Sozomen report that about 300 bishops

[1] Athanas. *Apol. c. Arian.* c. 36, and *Hist. Arian. ad Monachos*, c. 15. Cf. the Introduction to the *Epist. Concil. Sardic. ad omnes Episcopos* in Mansi, iii. 58; Harduin, *l.c.* p. 662.

[2] In Mansi, iii. p. 132; Harduin, i. 676; Hilar. *Pictav. Fragm.* iii. n. 16, p. 1315, ed. Bened.

[3] In their synodal letter itself (Mansi, t. iii. p. 133) the Eusebians say, that of the six bishops who had been sent as commissaries from Tyre to Mareotis (cf. above, p. 23), five had been present at Sardica (the sixth, Theognis of Nicæa, had died before. Cf. Tillemont, *Mémoires*, etc., t. vi. p. 141, ed. Brux., in the treatise concerning the Arians, art. 38). Thus it is clear that Maris, Macedonius, Ursacius, Valens, and Theodore were present at Sardica; and as the names of the three first are not among the signatures, they must be added to the number seventy-three.

[4] Socrat. ii. 20; Sozom. iii. 12.

[5] Cf. vol. i. p. 272.

[6] See above, p. 66.

[7] Mansi, iii. 138 sqq.

were present, and Socrates appeals for this to Athanasius. The latter, in his *Apology* against the Arians, says that "more than 300 bishops had agreed to what was decided in his favour at Sardica." In another part of the same *Apology*, at the end of the Synodal Letter of Sardica, cited by himself, Athanasius gives the names of 282 bishops;[1] but he says plainly in the preceding words, "that the decisions of Sardica were sent also to absent bishops, and received by them, and that the names of those who signed at the Synod, *and of the others*, were as follows." Further on, at the end of c. 50, he adds, that "even earlier, before the Council of Sardica, about sixty-three bishops, *i.e.* in all 344, had declared for him." We see from this whence Socrates and Sozomen derived their statements; but at the same time we see that they wrongly reckoned among the number those bishops also who, though not present in person at the Council, accepted and signed the decrees of Sardica.

In another place[2] Athanasius says that "about 170 bishops from the East and West had come together at Sardica;" and the context shows that by the Eastern bishops he understands the Eusebians, and therefore his words cannot have the meaning which Fuchs assigns to them in his *Bibliothek der Kirchenversammlungen*,[3] *i.e.* that the number 170 did not include the Eusebian bishops, so that with these (who were about eighty) the whole number would be 250, as Theodoret states it.[4]

If we, however, adhere to the statement of S. Athanasius, which is above all others worthy of credit, that the Eastern and Western bishops at Sardica numbered in all about 170, and then deduct from that number the 76 Eusebian (Eastern) bishops, we have 94 still remaining for the orthodox party.

There would be no need for this inquiry if the signatures to the synodal acts had come down to us whole and complete. But unhappily they were entirely lost, with

[1] Athanas. *Apolog. c. Arian.* p. 97, 132, t. i. P. i. ed. Patav.; also in Mansi, iii. p. 66; Harduin, t. i. p. 667 sqq.

[2] *Hist. Arian. ad Monachos*, c. 15.

[3] Fuchs, *Bibliothek der Kirchenversammlungen*, Thl. ii. sqq.

[4] Theodoret, *Hist. Eccl.* ii. 7.

the exception of one very defective list of fifty-nine bishops' names, which S. Hilary, in his second *Fragment*, has appended to the Letter of the Synod of Sardica to Pope Julius.[1] It is clear that this list is imperfect, from the fact that the names of bishops, whose presence at Sardica is otherwise known, are wanting. Later copyists and compilers appended this list to the Canons of Sardica also,[2] and thus arose the statement which appears here and there,—for instance, in the *Corpus Juris Canonici*,[3]—that the Canons of Sardica had been published by 59, 60, or 61 bishops; for some codices, instead of *unus de sexaginta*, as Hilary says, read *unus et sexaginta*, while others also include a Bishop Alexander of Acia (Achaia) in the list, whom Hilary leaves out.[4]

Two other documents containing signatures of Sardica, one a letter from the Synod to the Christians in Mareotis, and the other a letter to them from Athanasius, were discovered about one hundred and forty years ago by Scipio Maffei in the library at Verona.[5] The latter letter has sixty-one, and the former twenty-six or twenty-seven names of bishops; but that all the members of the Synod did not sign, is distinctly said in the Synodal Letter, for Bishop Vincent, in this list, remarks that he signed for the others also.[6] The Ballerini had these documents printed in their edition of the works of S. Leo I.;[7] and by making use of these two lists of signatures, and the two others previously mentioned (at the end of the Synodal Letter to Pope Julius, and in Athanas. *Apol. c. Arian.* c. 50), as well as other statements,[8] they made a list[9] certainly very near the truth, according to which 97 bishops of the

[1] Hilar. *Pictav.* p. 1292 sq.; Mansi, iii. 42; Harduin, i. p. 655.

[2] Cf. the *Dissertation* of the Ballerini in the third volume of their edition of the works of Leo I. p. xlii. sqq.; also printed in Galland. *De Vetustis Canonum Collect.* t. i. p. 290.

[3] c. 11, *Dist.* 16. [4] Ballerini, *l.c.* p. xliii.; and in Galland. *l.c.* p. 291.

[5] Cf. concerning this, sect. 66 *infr.*

[6] Cf. Ballerini, *l.c.* p. xliii.; Galland. *l.c.* p. 291. [7] Works of Leo I. t. iii.

[8] Viz. that Euphrates of Cologne and Gratus of Carthage had also been present at Sardica. The Synod sent the former, as we shall see later, as its ambassador to the Emperor Constantius; but that Gratus was present appears from the Greek text of the seventh Canon of Sardica, and from the fifth Canon of the Synod of Carthage in 348 (Mansi, iii. p. 147; Harduin, i. 686).

[9] Also printed in Mansi, iii. 43 sqq.; and Ballerini, *ll.cc.*

orthodox party were present at Sardica. This number agrees so well with that which we obtained before, by subtracting the 80 Eusebian bishops from the 170 members of the Synod mentioned by Athanasius, that the result may now be considered as fairly certain. It also agrees admirably with the fact that the first list of bishops, given by Athanasius in his often cited *Apology*,[1] without naming any locality, accords almost entirely with the list obtained by the Ballerini; so that we can see that Athanasius had there noted, as was most natural, first those bishops present at Sardica, and afterwards those who had signed afterwards.[2]

These orthodox bishops present at Sardica belonged, as the Synodal Letter to the Alexandrians says,[3] to the following provinces and countries: Rome, Spain, Gaul, Italy, Africa, Sardinia, Pannonia, Mysia, Dacia, Noricum, Tuscany, Dardania, the second Dacia, Macedonia, Thessaly, Achaia, Epirus, Thrace, Rhodope (a part of Thrace), Palestine, Arabia, Crete, and Egypt.[4] But in the signatures to the Encyclical Synodal Letter, in Theodoret,[5] the following provinces are also named: Asia, Caria, Bithynia, Hellespont, Phrygia, Pisidia, Cappadocia, Pontus, the other Phrygia, Cilicia, Pamphylia, Lycia, the Cyclade Islands, the Thebaid, Libya, and Galatia. We might indeed allege in favour of this fuller list, that Athanasius[6] himself says that there had been bishops present at Sardica from more than thirty-five provinces; but the Ballerini brothers have nevertheless declared this larger list to be false: first, because at that time Phrygia was not yet divided into two provinces, and there was therefore no second Phrygia; and secondly, because the bishops of those provinces, which are added in the larger list, were Eusebians.[7]

Pope Julius did not appear in person, but sent two priests, Archidamus and Philoxenus, as his representatives,[8] and he

[1] *Apolog.* c. 50. [2] Ballerini, *l.c.* p. xliii. n. iv. p. 292; and in Galland.
[3] See Athanas. *Apol. c. Arian.* c. 36; Mansi, iii. 51; Harduin, t. i. p. 655.
[4] Cf. *Wiener Akad. der Wissenschaft. Phil. Hist.*, Klasse 1855, Bd. 17, S. 65.
[5] Theodoret, ii. 8. [6] Athanas. *Hist. Arian. ad Monachos*, c. 17.
[7] Ballerini, ed. *Opp. S. Leonis*, t. iii. p. xlii. n. ii. et p. 598 sq. note 2. Also in Mansi, vi. p. 1210, note sq.
[8] Mansi, iii. 66; Harduin, i. 690; Athanas. *Apol. c. Arian.* c. 50.

excused his absence by such cogent reasons, that the Synod, in their letter to him, say that "he had excused his non-appearance in the best and fullest way, on the ground that neither schismatics nor heretics should take advantage of his absence from Rome to work mischief, nor the serpent spread the poison of blasphemy; for it was best and most fitting that the priests (bishops) of all provinces should bring their reports to the head, namely, the chair of S. Peter."[1]

On account of the absence of the Pope, Hosius took the presidency, and was head of the Synod. In this capacity he proposed the various canons,[2] and signed the acts before all the others;[3] and Athanasius speaks expressly of "the holy Synod, whose president (*προήγορος*) was the great Hosius."[4] Shortly before,[5] he had declared that "the bishops at Sardica had Hosius for their father;" and Theodoret, agreeing with him, writes, "This Hosius was bishop of Cordova; he was celebrated at the Synod of Nicæa, and took the first place (*πρωτεύσας*) among those assembled at Sardica."[6] Sozomen[7] further designates the orthodox party at Sardica as *οἱ ἀμφὶ τὸν Ὅσιον*, and the Eusebians also express themselves quite in the same way, always declaring Hosius and Protogenes of Sardica to be the heads of the orthodox Bishops.[8] Why they name the latter with Hosius is doubtful; perhaps because, as Bishop of Sardica, where the Synod was held, he specially influenced it, or perhaps because, from his age (he had been also at the Council of Nicæa) and personal worth, he stood out prominently; for his Episcopal See gave him no such special pre-eminence.[9]

But if Hosius was president at the Synod of Sardica, the reasons may have been the same this time as before at the

[1] Hilar. *Fragm.* ii. p. 1290; Mansi, iii. 40; Harduin, i. 653. The last sentence of the quotation is considered by Fuchs, *Bibliothek der Kirchenvers.* Bd. ii. S. 128, as interpolated.

[2] Mansi, iii. p. 5 sqq.; Hard. i. 637 sqq.

[3] Athanas. *Apol. c. Arian.* c. 49, 50; Mansi, iii. p. 42, 66; Hard. i. 651, 667.

[4] *Histor. Arian. ad Monachos*, c. 16.

[5] *Ibid.* c. 15.

[6] Theodoret, ii. 15.

[7] Sozom. ii. 12.

[8] Mansi, iii. p. 131 sqq.

[9] Remi Ceillier, *Histoire Générale des Auteurs Sacrés*, t. iv. p. 668, 669.

Synod of Nicæa,[1] *i.e.* that he had a special commission for it[2] from the Pope, and perhaps also from the Emperors; for neither did his Episcopal See give him any such pre-eminence. On the contrary, several of those present—for instance, Gratus of Carthage, Protasius of Milan, Verissimus of Lyons, and Maximus of Trèves—held quite as important, and some even more important, Sees, to say nothing of S. Athanasius, Exarch of Alexandria, who, as being accused, could not preside. But, besides Hosius, the two Roman priests before mentioned probably took part in the presidency, somewhat in the character of assistants, as was also the case before at Nicæa; for which reason, in the list given by Athanasius, they signed immediately after Hosius.[3]

Among the orthodox bishops of the Synod of Sardica, we find, besides Hosius, five more Spaniards: Anianus of Castolona, Castus of Saragossa, Domitian of Asturica, Florentius of Emerita, and Prætestatus of Barcelona. Gaul was represented by the bishops already mentioned, Verissimus of Lyons, and Maximus of Trèves; Italy, by Protasius of Milan, S. Severus of Ravenna, Januarius of Beneventum (not the renowned S. Januarius of Beneventum, who had been martyred in 305), Fortunatian of Aquileia, Lucius of Verona, Sterconius from Apulia, Ursacius of Brescia, and Vincent of Capua. Macedonia and Achaia (Greece proper) had sent very many bishops; for instance, Athenodorus of Platæa, Dionysius of Elis, Hermogenes of Sicyon, Plutarch of Patras, and others. From Palestine we find two bishops, one of whom was named Arius; from Arabia, one bishop named Asterius; lastly, from the Asiatic island Tenedos, the Bishop Diodorus. Of bishops who had suffered persecution, Athanasius, Marcellus of Ancyra, and Asclepas of Gaza were present;[4] Socrates[5] names also Paul of Constantinople, but

[1] Cf. *supr.* vol. i. pp. 39, 281.

[2] This is also the view of Petrus de Marca (*De Concordia Sacerdotii et Imperii*, lib. v. c. 4). Cf. Natal. Alex. *Hist. Eccl.* sec. iv. diss. 27, art. ii. p. 455, ed. Venet., where the question of the Presidency at Sardica is more particularly treated of.

[3] Athanas. *Apol. c. Arian.* c. 50. In the signature of the letter to Pope Julius, in Hilary, p. 1292, they do not, however, appear.

[4] Cf. the Ballerini Catalogue, mentioned above, p. 94.

[5] Socrat. ii. 20.

this is manifestly wrong, as is evident from a passage in the Synodal Letter of the Eusebians, which says that[1] "the followers of Hosius hold communication with Paul also through Asclepas, and receive from and send letters to him."

Sec. 61. *The Eusebians take no part in the Synod.*

While still on the road to Sardica, as soon as they learnt that Athanasius, Marcellus of Ancyra, and Asclepas had arrived there, the Eusebians took a step intended to frustrate all conciliatory designs. They held cabals of their own, and by threats extorted from all their adherents the promise, under certain circumstances, to take no part whatever in the Synod.[2]

For when they found that Athanasius and Marcellus of Ancyra were come to Sardica, they could not but fear that, as both had been already acquitted at Rome under Pope Julius in 341, the sentence of deposition, passed upon them by the Eusebians, would be regarded as null, and, so long as nothing fresh could be proved against them, both would be received into fellowship by the Council. If this happened, they could not help further foreseeing that Athanasius and his comrades in misfortune would soon change the defensive for the aggressive, and would bring heavy charges against the Eusebians themselves. They therefore resolved to insist on Athanasius and the others deposed by them at Sardica being treated from the very first as excommunicate, on the ground that their reception would be a violation of the reverence due to the Eastern Synods, and entirely contrary to all Church rule.[3] Besides this, they said, many of the former judges, accusers, and witnesses against Athanasius were dead, so that a fresh investigation was sure to end too favourably for him.[4]

Walch is of opinion that Athanasius had unquestionably a just cause, but that equity demanded that he and his companions, Marcellus and Asclepas, should still be excluded at

[1] Mansi, iii. p. 134; Hard. i. 678.
[2] Sozom. lib. iii. c. 11.
[3] Mansi, t. iii. pp. 63, 131, 133.
[4] Mansi, t. iii. 131; Hilar. *Fragm.* iii. p. 1314.

first from the Synod.[1] But (1) the Roman Synod of 341, which declared these men to be innocent, and received them into the communion of the Church, must necessarily have had as much weight as the Antiochian Synod of the same year. (2) To this must be added, that the Emperors had themselves given permission to the Synod of Sardica to reinvestigate the whole matter,[2] and this was, in fact, the object of the assembly. This implied that all judgments hitherto pronounced for and against Athanasius and his adherents, including that of Antioch, should be considered as suspended. Therefore the Synod of Sardica was bound to ignore all former proceedings, and to regard the matter as a *res integra*, and to treat Athanasius and his colleagues as if no sentence had yet anywhere been pronounced against them. (3) If, however, at Sardica, Athanasius and his friends had been treated as a party, then, in all fairness, their enemies, of whom they complained, must have been treated in the same way, and the exclusion of one party would have necessitated the exclusion of the other. (4) Lastly, not only was there a fully sufficient number of the former judges, accusers, and witnesses against Athanasius still living,—many more than were required for giving evidence,—but actually many of the most important of them were in the ranks of the Eusebians; for instance, Ischyras and those envoys whom the Synod of Tyre had sent to Mareotis. One of these six was dead, but all the others were present, as the Eusebian Synodal Letter itself relates.[3] The voluminous *Mareotic Acts of Inquiry*, which contained the testimonies of so many witnesses, as also the *Acts of the Synods of Tyre and Antioch*, were certainly still available; and the Synod of Rome in 341 had heard and examined the testimony of no less than eighty bishops on the affair of Athanasius, so that there was clearly sufficient legal evidence at hand for a final decision. To all this the Eusebians might appeal, if they chose to proceed against Athanasius at the Synod, besides bringing their own charges against him.

[1] Walch, *Historie der Kirchenvers.* p. 176.

[2] See the Synodal Letter of the Orthodox in Hilar. p. 1291, 11; Mansi, t. iii. 40.

[3] In Mansi, p. 133; Hilar. *Fragm.* iii. p. 1316, n. 18.

In order to appear at Sardica as a firm and compact party, and to be able to hinder the accession of any of their colleagues to the Synod, the Eusebians had so arranged that they all occupied one house in the town.[1] Notwithstanding this, two bishops who had come with them, Asterius from Arabia, and Arius (also named Macarius) from Palestine, immediately went over to the Synod, and related the intrigues already formed on the journey by the Eusebians. They affirmed at the same time that many other orthodox bishops were come in the company of the Eusebians, who would gladly have joined the Synod, if they were not hindered by violence and false representations.[2] Naturally, the desertion of these two was highly inconvenient to the Eusebians, and therefore Athanasius rightly says that they were struck with fear.[3] In fact, they did not long delay taking revenge on both, and immediately after the Synod of Sardica procured their banishment, through the Emperor Constantius.[4] That the Synod of Sardica was entirely free, and not managed by imperial officials, was, moreover, in the highest degree contrary to the wishes of the Eusebians, as no court influence in their favour could be hoped for. The consternation of the Eusebians, however, was complete when they learnt that Athanasius and many others, bishops and priests, were ready to appear as their accusers, and witnesses of their violent conduct, and that there were even chains and irons forthcoming which would testify to this.[5]

The Eusebians, on their side, say that "immediately upon their arrival at Sardica, they had heard that Athanasius, Marcellus, and other justly condemned offenders, who had been already deposed by synodal decision, were sitting in the midst of the church with Hosius and Protogenes, disputing with them, and, even worse, celebrating the holy mysteries. They had therefore demanded of those who were with Protogenes and Hosius (in fact commanded them, *mandavimus*) that

[1] Mansi, t. iii. 63.

[2] Cf. the Synodal Letter of the Orthodox, in Athan. *Apol. c. Arian.* c. 48. Further, Athanas. *Hist. Arian. ad Monachos*, c. 15.

[3] Athanas. *Hist. Arian. ad Monachos*, c. 15.

[4] Athanas. *l.c.* c. 18.

[5] Athanas. *Apol. c. Arian.* c. 36, 45; *Hist. Arian. ad Monachos*, c. 15.

they should shut out the condemned from their assembly, and hold no communion with sinners. When this was done, they should meet together with them, the Eusebians, and hear what had been decided by earlier synods against Athanasius and the others.[1] The adherents of Hosius, however, opposed this idea, and would not give up communion with those persons. This troubled them even to tears; for they could not, as they say, sit in an assembly with those whom their predecessors condemned, neither could they take part with profane persons in the sacraments. They therefore again and again repeated their demand to the Orthodox, begging them not to confound divine right, violate the tradition of the Church, give occasion for divisions, and place the many Oriental bishops and holy synods on a lower footing than that party. But the companions of Hosius paid no heed, but rather sought to assume the part of judges over the judges (at the former synods), and to bring the Eusebians themselves to trial." We see from this, also, that the Eusebians would not allow to the Council the right of trying afresh the sentences of the Synods of Tyre and Antioch, etc. During these quarrels, five Eusebian bishops, who had formerly been members of the deputation sent to Mareotis, proposed that a new commission of inquiry, composed of members of both parties (Eusebian and Orthodox), should be sent into those places where Athanasius had committed his offences, and should it be shown that they (the five bishops) had falsely accused him, they would unhesitatingly submit to condemnation; but if, on the contrary, their accusations were shown to be well-founded, then the five deputies of the Orthodox party, as well as the defenders and well-wishers of Athanasius and Marcellus, should be thrust out of communion. The Eusebians further affirm that Hosius, Protogenes, and their friends had not, however, agreed to this proposal,[2] but had rather sought by reference to the wishes and written edicts of the Emperor to

[1] In this case the Synod of Sardica would only have had to approve the former decisions, instead of making a new and impartial investigation of the whole affair.

[2] We have already shown that there were abundant materials at hand for a final decision; therefore the Synod rightly rejected a proposition which only aimed at putting aside the affair, and postponing the final decision *ad Græcas Calendas*.

frighten the Eusebians, and to force them through fear to take part in the Synod. Therefore they, the Eusebians, had now decided to return to their own homes, and, before leaving Sardica, to give a report of what had taken place to the rest of Christendom.[1] That they did not speak the truth in this last point, but issued their circular letter from Philippopolis, and not from Sardica, will appear later: it is enough here to supplement the above account of the Eusebians by the following communications from the orthodox side.

The Orthodox bishops greatly desired that the Eusebians should appear at the Synod. They therefore repeatedly invited them, both by word of mouth and by letter, and represented to them in how bad a light they placed themselves by their non-appearance, as it must be supposed that they had no proof to bring of their charges against Athanasius, but were rather slanderers, as indeed they would have to be declared by the Synod.[2] They were repeatedly told that Athanasius and his friends were ready to refute the charges raised against them, and to convict their enemies of slander.[3] Hosius made yet another special attempt, which he thus relates in a subsequent letter to the Emperor Constantius: "When the enemies of Athanasius came to me in the church, where I generally was, I requested them to bring forward their proofs against Athanasius, and promised them all possible security and justice, observing that, in case they did not like to bring their proofs before the whole Synod, they should at least communicate them to me alone. I even added a promise, that if Athanasius was proved guilty, he should be rejected by us all; but if he was innocent, and could convict them of slander, and still they would not hold communion with him, I would induce him to travel with me to Spain." Hosius adds, that Athanasius accepted these conditions without any hesitation; but that the Eusebians, not having confidence in their own cause, refused them.[4]

[1] Mansi, iii. pp. 131–134; Hilar. *Fragm.* iii. p. 1315, n. 14 sqq.; Harduin, i. p. 675 sqq.

[2] Athanas. *Apol. c. Arian.* c. 36.

[3] Athanas. *Hist. Arian. ad Monachos*, c. 76; *Apol. c. Arian.* c. 45.

[4] Athanas. *Hist. Arian. ad Monachos*, c. 44.

Athanasius himself says: "The Eusebians thought that under such circumstances (that is to say, if the whole affair was to be investigated anew, and the decisions of Tyre and Antioch no longer regarded as unalterable) flight was for them the lesser evil; for it was better to leave Sardica, than to be there formally convicted of slander. And if, after all, sentence was pronounced against them, the Emperor Constantius was their protector, and would certainly not allow their deposition."[1] In order, however, to have a fitting pretext for their flight, the Eusebians sent word by the priest Eustathius of Sardica to the Orthodox party, that the Emperor had sent them by letter the news of his victory over the Persians, and that this compelled their immediate departure (probably to offer him their congratulations). But Hosius was not deceived by this, and sent word to them: "If you do not appear and clear yourselves as regards the slanders which you have spread, and the accusations which have been brought against you, be assured that the Synod will condemn you as guilty, but will declare Athanasius and his associates to be innocent." The Eusebians were, however, deaf to these words, and fled by night from Sardica.[2]

Sec. 62. *Energetic Action of the Synod of Sardica.*

With the flight of the accusers, the whole proceeding against Athanasius and his friends might easily have been considered as finished; but in order to fulfil all justice, and to cut off from the Eusebians every possible pretext for further objections, the Synod resolved most carefully to investigate the whole affair, with all the testimonies already given, for and against Athanasius.[3] The acts showed that the accusers were pure slanderers;[4] that Theognis of Nicæa had, as was attested by several of his own former deacons, addressed malicious letters to the Emperors, in order to excite them against Athanasius;[5] that Arsenius, said to have been killed by

[1] Athanas. *Hist. Arian. ad Monachos*, c. 15.
[2] Athanas. *Hist. Arian. ad Monachos*, c. 16; Hilar. *Fragm.* ii. p. 1294, n. 16.
[3] Mansi, *l.c.* t. iii. 62; Harduin, t. i. p. 666.
[4] Mansi, t. iii. p. 62.
[5] *Ibid.* t. iii. p. 59.

Athanasius, was still living;[1] and that no chalice had been broken by the Athanasian priest Macarius. The Synod ascertained this through the testimony of many Egyptians, who had come to Sardica, and by an ancient Synodal Letter which had been addressed to Pope Julius by no less than eighty Egyptian bishops, in defence of Athanasius.[2] No less was it shown that the Mareotic acts were very one-sided; that only one party—the enemies of Athanasius—were heard; that catechumens, and even heathens, were therein brought forward as witnesses against priests, their statements, however, being for the most part in direct contradiction to one another.[3] Two former Meletian priests at the same time declared to the Synod that Ischyras, whose chalice Macarius was said to have broken (by order of Athanasius), had never been a priest, and that Meletius had had no church in that country (Mareotis).[4] The Synod also saw, from a letter written by Ischyras' own hand, that he himself declared that at the time when, during divine service, his chalice was said to have been broken, he could not leave his bed on account of illness, and therefore could have held no service.[5]

The Synod at once proceeded to examine, secondly, into the complaints brought forward against Marcellus of Ancyra, causing his treatise to be read aloud,[6] from which it discovered the wicked intrigues of the Eusebians, who had set down as decided and positive statements what Marcellus had said merely by way of inquiry (*ζητῶν*). That which preceded

[1] Remi Ceillier (*Histoire Générale*, etc., t. iv. pp. 670, 680) is of opinion that Arsenius himself was present at the Synod of Sardica, and he appeals for this to Athanas. *Apol. c. Arian.* c. 28; but that which is there thus related, "Arsenius, said to be dead, suddenly appeared alive before the Synod," had already taken place at Tyre in 335.

[2] Mansi, t. iii. p. 62, and the Synodal Letter to the Alexandrians; *ibid.* p. 51; Harduin, t. i. pp. 666, 658.

[3] Mansi, t. iii. p. 62. Cf. above, page 24.

[4] Hilar. Pictav. *Fragm.* p. 1287, n. 5. Cf. above, page 24.

[5] Mansi, t. iii. 62; Hard. t. i. 666.

[6] The principal treatise of Marcellus against Asterius, not the *σύνταγμα*, or confession of faith, which Marcellus had already given to Pope Julius, and which, as Athanasius says, was confirmed by the Synod of Sardica, Cf. Athanas. *Hist. Arian. ad Monachos.* This *σύνταγμα* had not either been the ground of the accusations of the Eusebians. Cf. Zahn, *Marcellus of Ancyra*, Gotha 1867, p. 77.

and followed the incriminated passages was also read aloud, and the Synod was convinced of the orthodoxy of Marcellus, and that he had not, as they said, ascribed to the divine Logos a beginning from Mary, or maintained that His kingdom was not eternal.[1] Marcellus had, as we saw before,[2] made a distinction between the Logos and the Son: by the Son he understood the union of the Godhead with human nature, or the God-man, and to Him he ascribed His origin from Mary; whereas he declared the Logos to be eternal, and in the Father from all eternity (in fact, impersonal). According to this, it appeared to him that the kingdom of the Logos only was eternal, and that that of the Son ceases with the end of the world, since then all human corporeality ends.

The third person whose affairs were investigated by the Synod of Sardica was Asclepas, Bishop of Gaza in Palestine, whom the Eusebians had deposed at Antioch.[3] He produced the acts of the Antiochian Synod which had condemned him, and proved his innocence by the very words of his judges.[4] At the same time, it appeared that the Eusebians had not only received back many who before had been lawfully deposed on account of Arianism, but had promoted them to higher offices in the Church; that they had practised many acts of violence against the orthodox, occasioned the destruction of many churches, imprisonments, executions, and mutilations of holy virgins and the like, and had stirred up the Arian heresy afresh.[5] The Synod therefore declared innocent Athanasius, Marcellus, Asclepas, and their companions, especially the Alexandrian priests Aphton, Athanasius the son of Capiton, Paul and Plution, who had been deposed and banished by the Eusebians, and restored them all to their former offices and dignities, and proclaimed this publicly, in order that from henceforth no one should consider those who had intruded into their places, Gregory at Alexandria, Basil at Ancyra, Quintian at Gaza, as rightful bishops.[6] At the same time, the Synod pronounced the sentence of deposition and even excom-

[1] Mansi, t. iii. 63; Hard. t. i. p. 666. [2] P. 31. [3] P. 89.
[4] Mansi, t. iii. p. 63; Hard. t. i. p. 666; cf. above, page 9.
[5] Mansi, t. iii. p. 63; Hard. t. i. pp. 666, 667.
[6] Mansi, t. iii. pp. 55, 66; Hard. t. i. pp. 659, 667.

munication upon the heads of the Eusebians, Theodore of Heraclea, Narcissus of Neronias, Acacius of Cæsarea, Stephen of Antioch, Ursacius of Singidunum, Valens of Murcia, Menophantes of Ephesus, and George of Laodicea, who, from fear, had not appeared at the Synod because they had adopted the Arian madness, and had, besides, been guilty of other offences [1] (slander and violence). Athanasius remarks incidentally in one place,[2] that the Synod also deposed Bishop Patrophilus of Scythopolis, but he does not seem here to have spoken accurately;[3] and the statement of Theodoret,[4] that Maris, Valens, and Ursacius had confessed their unfair dealings as deputies at Mareotis, and had demanded pardon of the Synod, is probably as little worthy of reliance. We shall see further on, that with regard to both these bishops something of the sort took place some years later, whence it may be conjectured that Theodoret is here guilty of an anachronism.

Sec. 63. *The pretended Creed of Sardica.*

It was, as we know, the further task of the Synod of Sardica to give a definite explanation of the orthodox faith, which had become uncertain. Athanasius relates that some had sought to move the Synod to draw up a new creed, on the pretext that the Nicene was not full enough; but that the Synod did not agree to this, and, on the other hand, absolutely determined to draw up no new formula, declaring that of Nicæa to be sufficient, and entirely faultless and pious.[5] Nevertheless, a pretended Sardican Creed soon got into circulation, which, however, Athanasius and those bishops assembled with him at Alexandria in 362 warned people against, and declared to be false. Bishop Eusebius of Vercellæ (now Vercelli) was also present at this Alexandrian Synod, and added to his signature a remark in which he expressly declared himself

[1] Mansi, t. iii. p. 66; Hard. t. i. p. 667.

[2] Athanas. *ad Episc. Ægypti et Libyæ*, c. 7.

[3] Cf. note 2 of the Benedictine editors on Athanas. *Apol. c. Arian.*

[4] Theodoret, ii. 16.

[5] Athanasii, *Tomus ad Antiochenses*, c. 5. *Opp.* t. i. Pars ii. p. 616, ed. Patav. p. 772, edit. Paris.

against the pretended formula of Sardica.[1] Theodoret[2] gives a copy of this so-called Sardican formula at the end of the Encyclical Letter of the Synod; but the *Historia Tripartita*[3] adopted a Latin translation of it, the work of the scholar Epiphanius. Its sense is throughout orthodox, and directed against the Arians, notwithstanding which, the expression ὑπόστασις is confounded with οὐσία, and thus to the Three Persons of the Trinity only one hypostasis is ascribed; there are also mis-statements with regard to Valens and Ursacius, as though they had been Sabellians.[4]

This Sardican formula is also mentioned by Sozomen;[5] but it is only recently that any clear light has been thrown upon this matter, since Scipio Maffei discovered in the library at Verona an old Latin translation of nearly all the Sardican Acts, and his discovery was made known by the Ballerini and Mansi.[6] In this translation, immediately following the Canons of Sardica, there is a short letter from Hosius and Protogenes to Pope Julius, and it is plainly this letter of which Sozomen[7] gives a fairly detailed account. In this letter it is said, and it quite accords with Sozomen's account, "that at Sardica the Nicene formula was accepted; but in order to make sophistical interpretations impossible to the Arians, it was further explained."[8] The Latin translation of the Encyclical Letter of Sardica follows this short letter, and to this is appended a translation of the Sardican formula in question.[9] Though there are some passages in this version where the Greek text of Theodoret is plainly more correct, yet, on the other hand, it just removes that difficulty regarding the one hypostasis, as here it rightly stands, "*unam esse substantiam, quam ipsi Græci Usiam appellant*," etc. On the

[1] Athanas. *l.c.* c. 10, p. 619, ed. Patav. p. 776, ed. Paris.

[2] Theodoret, ii. 8. [3] Lib. iv. c. 24.

[4] Cf. on this the notes by Binius in Mansi, iii. 83 sqq., and those by Fuchs (*Bibliothek der Kirchenvers.* vol. ii. p. 143 sqq.). Natalis Alexander treats particularly of this in the twenty-ninth Dissertation to his *Kirchengesch.* of the fourth century. Edit. Venet. 1778, t. iv. p. 484 sqq.

[5] Sozomen, iii. 12.

[6] Ballerini, edit. *Opp. S. Leonis*, t. iii. p. 589 sqq.; Mansi, *Collect. Concil.* t. vi. p. 1202.

[7] Sozomen, iii. 12. [8] Ballerini, *l.c.* p. 597; Mansi, *l.c.* p. 1209.

[9] Mansi, t. vi. 1213 sqq.; Ballerini, *l.c.* p. 605 sqq.

other hand, the mis-statement with regard to Valens and Ursacius is also found here.

What is, however, far more important, is that, since this discovery, we can without hesitation join the Ballerini in their conjecture, that probably Hosius and Protogenes were of opinion that a fuller exposition of the Nicene formula ought to be drawn up at Sardica.[1] Such a form they had already sketched out with this view, as well as an appropriate letter to Pope Julius. The Synod, however, did not agree to their plan; but, nevertheless, their draft came into the Acts, and was thus early considered by many as a genuine Synodal document, as, for instance, by the fourth General Council at Chalcedon, in its address to the Emperor Marcian.[2]

The Synod had now completed the three duties laid upon it: it had declared itself concerning the right faith, and given a decision upon the deposition of Athanasius and his friends, and concerning the acts of violence which had been practised upon them. But it desired also to provide for the discipline of the Church, and therefore drew up a set of canons, many of which have become very famous, and obtained permanent force in the Church.

Sec. 64. *The Sardican Canons.*

According to the unanimous conclusion arrived at through the inquiries of late scholars, especially Spittler and the Ballerini, there can be no doubt that the canons of Sardica were originally drawn up in both languages, Latin and Greek, as they were intended both for Latins and Greeks.[3] The Greek text is preserved to us in the collection of John of Constantinople, of the sixth century,[4] and in several other

[1] Athanasius only says, "Some wished this." See above, p. 106.

[2] Quoted in Mansi, t. vii. p. 463; Hard. t. ii. p. 647.

[3] Ballerin. edit. *Opp. S. Leonis M.*, t. iii. p. xxx. sqq. Spittler's Critical Examination of the decisions of Sardica in Meusel's *Geschichtsforscher*, part i., Halle 1777; reprinted in Spittler's *Sämmtl. Werken*, published by Karl Wächter, vol. viii. p. 126 sqq. Fuchs, *Bibliothek der Kirchenvers.* vol. ii. p. 104. In earlier times some learned men, like the Gallican Richer (*Hist. Conc. Générale*, t. i. p. 98, ed. Colon.), have considered the Latin text alone to be the original; others, for instance Walch (*Gesch. der Kirchenvers.* p. 179), the Greek.

[4] Printed in Justelli, *Bibliotheca Juris Canon. Veteris*, Paris 1661, fol. t. ii. p. 603.

manuscripts, from which it was first given to the press by the French Bishop Tilius in 1540,[1] and later by Beveridge, Hardouin, and all modern collectors. Comments upon it were made in the Middle Ages by three learned Greeks, Balsamon, Zonaras, and Aristenus, whose works Beveridge[2] has adopted in his famous *Synodicon*.[3] On the other hand, we meet with the original Latin text in the three most celebrated ancient collections of Canons of the West, the *Prisca*,[4] that of Dionysius Exiguus,[5] and Isidore, the genuine and the false.[6] These three, while differing distinctly from each other in the Latin translation of those canons which existed originally only in Greek, yet agree so strikingly here, that all three must have been based on one and the same original copy. These three Latin copies, moreover, while agreeing so remarkably[7] with each other, yet so strikingly differ from the Greek text,[8] even in the order of sequence, that their difference can only be sufficiently explained by supposing that from the first there existed two distinct originals, that is to say, an original Latin and an original Greek copy of the canons.

In the Greek text, and in the Latin of Dionysius Exiguus, these canons run thus:

Ἡ ἁγία σύνοδος ἡ ἐν Σαρδικῇ συγκροτηθεῖσα ἐκ διαφόρων ἐπαρχιῶν ὥρισε τὰ ὑποτεταγμένα.

Can. 1.

Ὅσιος ἐπίσκοπος πόλεως Κορδούβης εἶπεν· Οὐ τοσοῦτον ἡ φαύλη συνήθεια ὅσον ἡ βλαβερωτάτη τῶν πραγμάτων διαφθορὰ ἐξ αὐτῶν τῶν θεμελίων ἐστὶν ἐκριζωτέα, ἵνα μηδενὶ τῶν ἐπισκόπων ἐξῇ ἀπὸ πόλεως μικρᾶς εἰς ἑτέραν πόλιν μεθίστασθαι·

[1] On Tilius, cf. vol. i. p. 358.

[2] Cf. vol. i. p. 375, note 5.

[3] T. i. p. 482 sqq.

[4] Sec. v. Printed in Mansi, t. vi. p. 1141 sqq., and in the Ballerini edition of the works of Leo the Great, t. iii. p. 513 sqq.

[5] In Mansi, t. iii. p. 22 sqq.; Hard. i. p. 635 sqq.

[6] In Mansi, t. iii. p. 30 sqq.; Hard. *l.c.*

[7] Cf. Ballerin. edit. *Opp. S. Leonis M.*, t. iii. p. xxxiii. n. v.

[8] In the Greek text three canons are wanting which the Latin has, and *vice versa* in the latter two canons are wanting which the Greek text has; and that from their having exclusive reference to the Thessalonian Church.

ἡ γὰρ τῆς αἰτίας ταύτης πρόφασις φανερά ἐστι, δι' ἣν τὰ τοιαῦτα ἐπιχειρεῖται· οὐδεὶς γὰρ πώποτε εὑρεθῆναι ἐπισκόπων δεδύνηται, ὃς ἀπὸ μείζονος πόλεως εἰς ἐλαχιστοτέραν πόλιν ἐσπούδασε μεταστῆναι, ὅθεν συνέστηκε διαπύρῳ πλεονεξίας τρόπῳ ὑπεκκαίεσθαι τοὺς τοιούτους καὶ μᾶλλον τῇ ἀλαζονείᾳ δουλεύειν, ὅπως ἐξουσίαν δοκοῖεν μείζονα κεκτῆσθαι. εἰ πᾶσι τοίνυν τοῦτο ἀρέσκει, ὥστε τὴν τοιαύτην σκαιότητα αὐστηρότερον ἐκδικηθῆναι; ἡγοῦμαι γὰρ μηδὲ λαϊκῶν ἔχειν τοὺς τοιούτους κρῆναι κοινωνίαν· πάντες οἱ ἐπίσκοποι εἶπον· Ἀρέσκει πᾶσιν.

"Osius episcopus dixit: Non minus mala consuetudo, quam perniciosa corruptela funditus eradicanda est, ne cui liceat episcopo de civitate sua ad aliam transire civitatem. Manifesta est enim causa, qua hoc facere tentant, cum nullus in hac re inventus sit episcopus, qui de majore civitate ad minorem transiret. Unde apparet, avaritiæ ardore eos inflammari, et ambitioni servire, et ut dominationem agant. Si omnibus placet, hujusmodi pernicies sævius et austerius vindicetur, ut nec laicam communionem habeat, qui talis est. Responderunt universi: Placet."

We see at a glance that this canon is nothing more than a severer rendering of the fifteenth canon of Nicæa, which, indeed, also forbade the translation from one See to another, but in no wise inflicted the heavy punishment of the denial even of lay communion [1] (the placing among public penitents). Van Espen, who has given a good commentary [2] on the canons of Sardica, as on those of other synods, remarks that "already, some years before the Synod of Sardica, Pope Julius (in his letter before mentioned) [3] reproached the Eusebians with their frequent change of place, and their hunting after wealthier Sees;" and in all probability this canon was purposely drawn up with reference to the Eusebians.[4] The first part of the same canon was received in the *Corpus Jur. Can.* c. ix., "De Clericis non residentibus" (iii. 4).

[1] Cf. Kober, *Deposition*, 1867, p. 68 sq.

[2] *Commentarius in Canones et Decreta juris veteris ac novi*, etc., Colon. 1755, fol. p. 265 sqq.

[3] Cf. *supr.* p. 54.

[4] Cf. *Tübinger Theol. Quartalschrift*, 1825, p. 19.

Can. 2.

Ὅσιος ἐπίσκοπος εἶπεν· Εἰ δέ τις τοιοῦτος εὑρίσκοιτο μανιώδης ἢ τολμηρὸς, ὡς περὶ τῶν τοιούτων δόξαι τινὰ φέρειν παραίτησιν, διαβεβαιούμενον ἀπὸ τοῦ πλήθους ἑαυτὸν κεκομίσθαι γράμματα, δῆλόν ἐστιν, ὀλίγους τινὰς δεδυνῆσθαι μισθῷ καὶ τιμήματι διαφθαρέντας ἐν τῇ ἐκκλησίᾳ στασιάζειν, ὡς δῆθεν ἀξιοῦντας τὸν αὐτὸν ἔχειν ἐπίσκοπον· καθάπαξ οὖν τὰς ῥᾳδιουργίας τὰς τοιαύτας καὶ τέχνας κολαστέας εἶναι νομίζω, ὥστε μηδένα τοιοῦτον μηδὲ ἐν τῷ τέλει λαϊκῆς γοῦν ἀξιοῦσθαι κοινωνίας· εἰ τοίνυν ἀρέσκει ἡ γνώμη αὕτη, ἀποκρίνασθε· ἀπεκρίναντο· Τὰ λεχθέντα ἤρεσεν.

"Osius episcopus dixit: Etiam si talis aliquis exstiterit temerarius, ut fortassis excusationem afferens asseveret, quod populi literas acceperit, cum manifestum sit, potuisse paucos præmio et mercede corrumpi, eos, qui sinceram fidem non habent, ut clamarent in ecclesia et ipsum petere viderentur episcopum; omnino has fraudes damnandas esse arbitor, ita ut nec laicam in fine communionem talis accipiat. Si vobis omnibus placet, statuite. Synodus respondit: Placet."

The addition in the Latin text, *qui sinceram fidem non habent*, is found both in Dionysius Exiguus and in Isidore and the *Prisca*, and its meaning is as follows: "In a town, some few, especially those who have not the true faith, can be easily bribed to demand this or that person as bishop." The Fathers of Sardica plainly had here in view the Arians and their adherents, who, through such like machinations, when they had gained over, if only a small party in a town, sought to press into the bishoprics. The Synod of Antioch, moreover, in 341, although the Eusebians, properly speaking, were dominant there, had laid down in the twenty-first canon a similar, only less severe, rule.[1] It is to be observed also, that in the Isidorian collection this second canon is not separated from the first and counted as the second. In *Corpus Juris Canon.* c. 2, "De Electione" (i. 6), it has the further addition, *nisi hoc pœnituerit, i.e.* "such an one shall not, on his deathbed, receive even lay communion, except he has repented of his fault." But neither the Greek text,

[1] Cf. above, page 72, and *Quartalschrift*, p. 20; Van Espen, *l.c.*

Dionysius, Isidore, nor the *Prisca*, contain this additional mitigating clause; and it was probably added by Raymund of Pennaforte, when he was collecting the decretals, in order to conform the canon to the later practice in this respect.[1]

Can. 3.

Ὅσιος ἐπίσκοπος εἶπε· Καὶ τοῦτο προστεθῆναι ἀναγκαῖον, ἵνα μηδεὶς ἐπισκόπων ἀπὸ τῆς ἑαυτοῦ ἐπαρχίας εἰς ἑτέραν ἐπαρχίαν, ἐν ᾗ τυγχάνουσιν ὄντες ἐπίσκοποι, διαβαίνῃ, εἰ μήτοι παρὰ τῶν ἀδελφῶν τῶν ἑαυτοῦ κληθείη, διὰ τὸ μὴ δοκεῖν ἡμᾶς τὰς τῆς ἀγάπης ἀποκλείειν πύλας.

Καὶ τοῦτο δὲ ὡσαύτως προνοητέον ὥστε ἐὰν ἔν τινι ἐπαρχίᾳ ἐπισκόπων τις ἄντικρυς ἀδελφοῦ ἑαυτοῦ καὶ συνεπισκόπου πρᾶγμα σχοίη, μηδέτερον ἐκ τούτων ἀπὸ ἑτέρας ἐπαρχίας ἐπισκόπους ἐπιγνώμονας ἐπικαλεῖσθαι.

Εἰ δὲ ἄρα τις ἐπισκόπων ἔν τινι πράγματι δόξῃ κατακρίνεσθαι καὶ ὑπολαμβάνει ἑαυτὸν μὴ σαθρὸν ἀλλὰ καλὸν ἔχειν τὸ πρᾶγμα, ἵνα καὶ αὖθις ἡ κρίσις ἀνανεωθῇ· εἰ δοκεῖ ὑμῶν τῇ ἀγάπῃ, Πέτρου τοῦ ἀποστόλου τὴν μνήμην τιμήσωμεν καὶ γραφῆναι παρὰ τούτων τῶν κρινάντων Ἰουλίῳ τῷ ἐπισκόπῳ Ῥώμης, ὥστε διὰ τῶν γειτνιώντων τῇ ἐπαρχίᾳ ἐπισκόπων, εἰ δέοι, ἀνανεωθῆναι τὸ δικαστήριον καὶ ἐπιγνώμονας αὐτὸς παράσχοι· εἰ δὲ μὴ συστῆναι δύναται τοιοῦτον αὐτοῦ εἶναι τὸ πρᾶγμα, ὡς παλινδικίας χρῄζειν, τὰ ἅπαξ κεκριμένα μὴ ἀναλύεσθαι, τὰ δὲ ὄντα βέβαια τυγχάνειν.

"Osius episcopus dixit: Illud quoque necessario adjiciendum est, ut episcopi de sua provincia ad aliam provinciam, in qua sunt episcopi, non transeant, nisi forte a fratribus suis invitati, ne videamur januam claudere caritatis. Quod si in aliqua provincia aliquis episcopus contra fratrem suum episcopum litem habuerit, ne unus e duobus ex alia provincia advocet episcopum cognitorem. Quod si aliquis episcoporum judicatus fuerit in aliqua causa, et putat se bonam causam habere, ut iterum concilium renovetur: si vobis placet, Sancti Petri apostoli memoriam honoremus, ut scribatur ab his, qui causam examinarunt, Julio Romano episcopo, et si judicaverit renovandum esse judicium, renovetur et det judices; si autem

[1] Van Espen, *l.c.* p. 266.

probaverit, talem causam esse, ut non refricentur ea, quæ acta sunt, quæ decreverit confirmata erunt. Si hoc omnibus placet? Synodus respondit: Placet."

As is evident, the contents of this canon are divided into three parts, and the collection of Isidore has indeed made three different canons of it,—a second, third, and fourth,—while Dionysius and the *Prisca*, in accordance with the Greek text, comprise all three parts in one.

The first clause, or the first rule of our canon, is a repetition of the thirteenth Antiochian, which, as being both clearer and more circumstantial, may be used as a commentary on it. Both direct that no bishop shall go into another Church province for the purpose of performing any spiritual office, especially that of ordination, unless he is called upon to do so by the metropolitan and the bishops of that province; in which case it shall, however, be allowed, "that it may not appear as if the Synod wished to cut off from the bishops the opportunity of rendering each other any service of love." Thus the last words of the first part are to be understood: *διὰ τὸ μὴ δοκεῖν ἡμᾶς τὰς τῆς ἀγάπης ἀποκλείειν πύλας*: *ne videamus januam claudere caritatis*; but not as Fuchs[1] translated them: "otherwise peace and love will be disturbed," that is, if any one interferes in a strange province.

Instead of *in qua sunt episcopi*, a Roman codex reads: *in qua non sunt episcopi*, thus giving the synodal order this meaning, that "a bishop should not perform any spiritual office in a strange province, even if that province has no bishops of its own." This reading, which is not supported by the Greek or the other Latin manuscripts, nor by the Greek commentators, Zonaras, etc., is defended by Van Espen,[2] although it contradicts the further words of the canon: "unless he is called upon by his brethren," *i.e.* the bishops of the province in question, as appears from the thirteenth canon of Antioch. In order to do away with this contradiction, Van Espen quite gratuitously interprets the latter words thus: "unless he is called by his brethren to become bishop of this hitherto unoccupied province."

[1] Fuchs, *l.c.* p. 106.

[2] Van Espen, *l.c.* p. 266.

The second part of the canon is connected with the fifth of Nicæa, which also directs that the quarrels of the bishops in the province itself shall be decided by the Provincial Synod, without the assistance of foreign bishops. This true meaning, however, is altered by some Latin translations in the collection of Dionysius, especially in that printed by Justellus, where, instead of *ne unus*, stands *unus*, without the negation, which so alters the sense, as to make it in direct contradiction to the whole ancient law of the Church.

The third part of the canon makes, in one instance, an exception to the above rule (the second),—*i.e.* that the right of judging a bishop belonged to the comprovincial bishops,—as it provides a court of second appeal to revise the sentence of the comprovincial bishops of the court of first appeal. This clause, however, and the two following canons connected with it, concerning appeals to Rome, have been, up to our day, the subject of violent controversies between canonists; and therefore we before ventured to publish the result of our studies on these subjects in the *Tübinger Quartalschrift*, of the year 1852.

The meaning of this direction is: "If a bishop is condemned (that is, deposed, as appears from the fourth canon), but thinks his case a good one, so that a fresh sentence ought to be pronounced,[1] then, out of respect to the memory of the Apostle Peter, a letter shall be addressed to Rome to Pope Julius,[2] so that, if necessary, he may appoint a new court

[1] Instead of κρίσις, *judicium*, as Isidore and the *Prisca* rightly have it, Dionysius reads *concilium*, which gives this meaning: "so that a fresh Council should take place." Still this does not affect the chief point.

[2] According to the Greek text, and that of Dionysius, those who had pronounced the first judgment were to write to Rome; and Fuchs (*l.c.* p. 107) rightly adds, that they were to do this at the desire of the condemned. But, according to Isidore and the *Prisca*, the right or the duty of bringing the affair before Rome, also belonged to the neighbouring bishops. I believe that the last interpretation has only arisen through a mistake, from a comment belonging to the next sentence being inserted in the wrong place, of which we shall again speak in the following note. It only remains to be remarked here, that Isidore and the *Prisca* have not the name *Julio*, and that its insertion has given occasion to the Gallicans for an hypothesis, of which we shall speak later. But Hardouin's conjecture, that instead of *Julio*, perhaps *illi* may be read, is entirely gratuitous, contrary to the Greek text, and plainly only a stratagem against the Gallicans.

composed of the bishops near the province in question, and may himself appoint the judges.[1] If it is not proved, however, that the affair requires a fresh inquiry,[2] then the first sentence (of the Provincial Synod) shall not be annulled, but shall be confirmed by the Pope."[3]

The further examination of this canon and of the disputes

[1] The Greek text does not say expressly who had to decide as to the necessity of a fresh investigation ; but the Latin of Dionysius does so, and assigns the decision to the Pope. This difference is, however, of no importance ; for clearly he, to whom they had written on the subject, *i.e.* the Pope, must decide on this point. Cf. the treatise (by Herbst) concerning the Council of Sardica, in the *Tübinger Theol. Quartalschrift*, 1825, p. 23. The rule that the Pope was to constitute the court of second appeal of those bishops who were near the Church province in question, is expressly contained in the Greek text, but is wanting in the Latin, in Dionysius, as well as in Isidore and the *Prisca*, who only generally remark that the Pope had to name the judges of the court of second appeal. Now, if we assume that already in early times a reader of the Latin text observed this omission, and by use of the Greek text put in the margin of his copy, after the words *judicium renovetur*, the words *ab aliis* (or *illis*) *episcopis qui in provincia proxima morantur*, then this gloss might easily, by a later copyist, have been inserted too soon by one line in the text. Thus it came to pass that the *Prisca* and Isidore, who in general harmonize far more with each other than with Dionysius, accepted this addition, and placed it in a context, where it would mean that "the bishops of the neighbouring provinces might also write to Rome" (see preceding note) ; while Dionysius never accepted this gloss.

[2] Again, the Greek text deos not say who had to decide on this point, as does the Latin : *si autem probaverit* (*scil. Papa*). This, however, is explained by what has been said above. No difference exists as to the fact, for, according to the context of the whole canon, this decision could belong to no other than the Pope. Cf. *Tübing. Theol. Quartalschrift*, 1825, p. 24.

[3] The difference existing in this passage between the Greek and Latin text does not alter the sense, for the Latin text also says clearly : "If the Pope decides to abide by the judgment of the court of first appeal, then the decision shall hold good." Under such circumstances we cannot see how it could have been supposed that the Latin text had here been falsified in the interest of Rome, in Isidore and the *Prisca*, because it there stands : *quæ decreverit Romanus episcopus, confirmata erunt.* Cf. *Quartalschrift*, 1825, p. 24 sq. ; Van Espen, *l.c.* p. 267 ; also Fuchs, *l.c.* p. 107. In truth, the Latin text plainly does not here attribute more right to the Pope than does the Greek ; for the *decreverit Romanus episcopus* here simply refers to the decision that no new inquiry should take place. Cf. Palma, *Prælect. Hist. Eccl. in Collegio Urbano*, 1838, t. i. P. ii. pp. 92, 93. Neither must we understand before the verb *decreverit*, which in Dionysius stands without any subject, *Synodus Provincialis*, as Van Espen thinks (p. 267), but *Pontifex Romanus ;* for the decision, according to the Greek text, as well as the Latin of Isidore and the *Prisca*, belongs to no other than the Pope.

regarding it, will only be possible to us when we have first made clear the meaning of the two next canons. We remark, further, that Gratian also has received it into the *Corp. Jur. Can.* i. 7, causa vi. quæst. 4.

Can. 4.

Γαυδέντιος ἐπίσκοπος εἶπεν· Εἰ δοκεῖ, ἀναγκαῖον προστεθῆναι ταύτῃ τῇ ἀποφάσει, ἥντινα ἀγάπης εἰλικρινοῦς πλήρη ἐξενήνοχας, ὥστε ἐάν τις ἐπίσκοπος καθαιρεθῇ τῇ κρίσει τούτων τῶν ἐπισκόπων τῶν ἐν γειτνίᾳ τυγχανόντων, καὶ φάσκῃ πάλιν ἑαυτῷ ἀπολογίας πρᾶγμα ἐπιβάλλειν, μὴ πρότερον εἰς τὴν καθέδραν αὐτοῦ ἕτερον ὑποκαταστῆναι, ἐὰν μὴ ὁ τῆς Ῥωμαίων ἐπίσκοπος ἐπιγνοὺς περὶ τούτου ὅρον ἐξενέγκῃ.

"Gaudentius episcopus dixit: Addendum si placet huic septentiæ, quam plenam sanctitate protulisti, ut cum aliquis episcopus depositus fuerit eorum episcoporum judicio, qui in vicinis locis commorantur, et proclamaverit agendum sibi negotium in urbe Roma; alter episcopus in ejus cathedra post appellationem ejus, qui videtur esse depositus, omnino non ordinetur, nisi causa fuerit in judicio episcopi Romani determinata."

This canon, proposed by Gaudentius, Bishop of Naissus in Dacia, according to the Greek literally runs thus: "Bishop Gaudentius said: 'If pleasing to you, it shall be added to this judgment, which you, Hosius, have brought forward, and which is full of pure love, that if a bishop has been deposed by sentence of those bishops who are in the neighbourhood, and he desires again to defend himself, no other shall be appointed to his See until the Bishop of Rome has judged and decided thereupon.'" In all essentials the Latin text of Dionysius, Isidore, and the *Prisca* agree with this; but, concerning the explanation of the words of the text, two parties have arisen, in direct opposition to each other, one of which alone can be right, and this latter, armed with old and new arguments, shall first speak for itself.

The preceding canon had declared that if a bishop, deposed by the Provincial Synod, desired a second appeal, Rome should

decide whether the demand should be granted or not. This decided, the further question necessarily arose, "What should meanwhile be done with the bishop in question?" The natural answer was, that, "until the new decision, he may, on his part, undertake no episcopal function; but neither may any other be appointed to his See." This answer was so natural, that it might perhaps have appeared superfluous to state it expressly in a special canon, if it had not been that a few years before, at the Synod of Antioch, the Eusebians, although they themselves and Athanasius had appealed to Rome and demanded a second decision by a great synod, had appointed a new bishop, Gregory of Cappadocia, for Alexandria. In the face of these and other like facts, it was necessary to add: "but if a bishop deposed by the court of first appeal adopts the course indicated above (in can. 3), his See may not be given over to another until the Pope has either confirmed the sentence of the court of first appeal, or has instituted a second." We see that the connection of these two canons (three and four), the nature of the case, and the course of events (that which the Eusebians had done), render such an interpretation of the words of the text necessary, and in the words themselves there is nothing to compel us to adopt any other meaning. And yet this has several times been attempted; first, indeed, simply and entirely through a misunderstanding of the words: "If he is deposed by the sentence *τῶν ἐπισκόπων τῶν ἐν γειτνίᾳ τυγχανόντων, i.e. episcoporum, qui in vicinis locis commorantur.*" In our opinion, this means those bishops who were neighbours of the accused, that is, his comprovincials; but because the third canon speaks of bishops who are "neighbours" of the Province in question, many scholars have confused these two expressions, and have taken the word "neighbours" in the fourth canon also in the latter sense, and have therefore given it the following meaning: "Even if the court of second appeal, consisting of the bishops of the neighbouring province, has pronounced the accused guilty, he still has one more appeal to the court of third instance, namely Rome."

Such a commentary upon the canon was given by the

Greeks, Zonaras and Balsamon ;[1] and among Latin scholars by the Ballerini,[2] Van Espen,[3] Palma,[4] Walter,[5] and others; but especially by Natalis Alexander, who, in this whole question, rather agrees with the Curialists than with the Gallicans.[6]

But in spite of these many authorities we cannot accept the fourth canon in the second sense, but can only understand it in the first. It must be added to the reasons before mentioned (*i.e.* the connection with the preceding canon, the course of events, etc.):

1. That it certainly would be very curious if in the third canon mention was made of the appeal to Rome as following the judgment of the court of first instance; in the fourth, after that of the court of second instance; and again in the fifth, after the judgment of the court of first instance.

2. That if the Synod had really intended to institute a court of third appeal, it would have done so in clearer and more express terms, and not only have, as it were, smuggled in the whole point with the secondary question, as to "what was to be done with the bishop's See."

3. Further, that it is quite devoid of proof that the expression "neighbouring bishops" is identical with "Bishops in the neighbourhood of the said Province;" that, indeed, this identification is throughout unwarrantable and wrong, and it is far more natural to understand by the neighbouring bishops, the comprovincials, therefore the court of first instance.

4. That by this interpretation we obtain clearness, consistency, and harmony in all three canons.

5. That the word πάλιν in the fourth canon presents no difficulty; for even one who has only been heard in the court of first instance may say he desires again to defend himself, because he has already made his first defence in the court of first instance.

[1] In Bevereg. *Synodicon sive Pandectæ*, t. i. p. 487–489.
[2] *S. Leonis M. Opp.* ed. Baller., t. ii. p. 950.
[3] Van Espen, *l.c.* p. 268.
[4] Palma, *l.c.* pp. 89, 92.
[5] Walter, *Kirchenrecht*, 11th edition, p. 34, note 27.
[6] *Hist. Eccl.* sec. iv. diss. 28, propos. ii. p. 464, ed. Venet. 1778.

Peter de Marca,[1] Tillemont,[2] Dupin,[3] Fleury,[4] Remi Ceillier,[5] Neander,[6] Stolberg,[7] Eichhorn,[8] Kober,[9] and others, understand the fourth canon in the same sense as ourselves; while some, like Fuchs,[10] Rohrbacher,[11] Ruttenstock,[12] etc., do not enter into any discussion about its meaning. Finally, we remark that this explanation does not the least affect the right of appealing to the Pope, and we shall presently show the untenableness of the Gallican argument against this right from the Sardican canons.

Can. 5.[13]

Ὅσιος ἐπίσκοπος εἶπεν· Ἤρεσεν, ἵν' εἴ τις ἐπίσκοπος καταγγελθείη, καὶ συναθροισθέντες οἱ ἐπίσκοποι τῆς ἐνορίας τῆς αὐτῆς τοῦ βαθμοῦ αὐτὸν ἀποκινήσωσι, καὶ ὥσπερ ἐκκαλεσάμενος καταφύγῃ ἐπὶ τὸν μακαριώτατον τῆς Ῥωμαίων ἐκκλησίας ἐπίσκοπον, καὶ βουληθείη αὐτοῦ διακοῦσαι, δίκαιόν τε εἶναι νομίσῃ ἀνανεώσασθαι αὐτοῦ τὴν ἐξέτασιν τοῦ πράγματος, γράφειν τούτοις τοῖς συνεπισκόποις καταξιώσῃ τοῖς ἀγχιστεύουσι τῇ ἐπαρχίᾳ, ἵνα αὐτοὶ ἐπιμελῶς καὶ μετὰ ἀκριβείας ἕκαστα διερευνήσωσι καὶ κατὰ τὴν τῆς ἀληθείας πίστιν ψῆφον περὶ τοῦ πράγματος ἐξενέγκωσιν. εἰ δέ τις ἀξιῶν καὶ πάλιν αὐτοῦ τὸ πρᾶγμα ἀκουσθῆναι, καὶ τῇ δεήσει τῇ ἑαυτοῦ τὸν Ῥωμαίων ἐπισκοπον δόξειεν [κινεῖν δόξῃ ἵν' ἀπὸ] ἀπὸ τοῦ ἰδίου πλευροῦ πρεσβυτέρους ἀποστείλοι, εἶναι ἐν τῇ ἐξουσίᾳ αὐτοῦ τοῦ ἐπισκόπου, ὅπερ ἂν καλῶς ἔχειν δοκιμάσῃ καὶ ὁρίσῃ δεῖν, ἀποστα-λῆναι τοὺς μετὰ τῶν ἐπισκόπων κρινοῦντας, ἔχοντάς τε τὴν αὐθεντίαν τούτου παρ' οὗ ἀπεστάλησαν· καὶ τοῦτο θετέον. εἰ δὲ

[1] *De Concordia Sacerdotii et Imp.* lib. vii. cap. iii. n. 10.

[2] *Mémoires*, etc., t. viii. in the treatise of S. Athanasius, art. 50, p. 48, ed. Brux. 1732.

[3] *De Antiqua Ecclesiæ Disciplina*, diss. ii. § iii. p. 86, ed. Magunt 1788.

[4] Fleury, *Hist. Eccl.* Livre xii. § 39.

[5] *Histoire Générale*, etc., t. iv. p. 684.

[6] Neander, *Kirchengeschichte*, vol. iii. 2d ed. p. 348.

[7] Stolberg, *Gesch. des Relig. Jesu*, vol. x. p. 489. 9. His words, "In such a case," show plainly that he, like us, referred the canon to the appeal after the first sentence.

[8] Eichhorn, *Kirchenrecht*, vol. i. p. 71.

[9] Kober, *Deposition*, etc., p. 390.

[10] Fuchs, *l.c.* p. 108.

[11] Rohrbacher, *Histoire universelle de l'église*, t. vi. p. 310.

[12] Ruttenstock, *Instit. Hist. Eccl.* t. ii., etc., 128.

[13] Can. 7 in Dionysius, Isidore, and the *Prisca*.

ἐξαρκεῖν νομίσῃ πρὸς τὴν τοῦ πράγματος ἐπίγνωσιν καὶ ἀπόφασιν τοῦ ἐπισκόπου, ποιήσει ὅπερ ἂν τῇ ἐμφρονεστάτῃ αὐτοῦ βουλῇ καλῶς ἔχειν δόξῃ. ἀπεκρίναντο οἱ ἐπίσκοποι· Τὰ λεχθέντα ἤρεσεν.

"Osius episcopus dixit: Placuit autem, ut si episcopus accusatus fuerit et judicaverint congregati episcopi regionis ipsius, et de gradu suo eum dejecerint, si appellaverit qui dejectus est, et confugerit ad episcopum Romanæ Ecclesiæ et voluerit se audiri: si justum putaverit, ut renovetur judicium (vel discussionis examen), scribere his episcopis dignetur, qui in finitima et propinqua provincia sunt,[1] ut ipsi diligenter omnia requirant et juxta fidem veritatis definiant. Quod si is, qui rogat causam suam iterum audiri, deprecatione sua moverit episcopum Romanum, ut de latere suo presbyterum mittat, erit in potestate episcopi, quid velit et quid æstimet; et si decreverit mittendos esse, qui præsentes cum episcopis judicent, habentes ejus auctoritatem a quo destinati sunt, erit in suo arbitrio. Si vero crediderit episcopos sufficere, ut negotio terminum imponant, faciet quod sapientissimo consilio suo judicaverit."

The meaning is: "If a bishop deposed by his comprovincials (the bishops of the same region) has appealed to Rome, and the Pope considers a fresh examination necessary, then he (the Pope) shall write to the bishops living nearest the province in question, that they may thoroughly investigate the matter, and give sentence in accordance with the truth. But if the appellant can induce the Bishop of Rome [2] to send priests of his own to constitute, with the appointed bishops, the court of second instance, and thereby to enjoy the authority belonging to himself (the Pope),—*i.e.* to preside in the court, as even the Gallican Marca allows to be the meaning,[3]—it shall be open to the Pope to do so. But should he think the bishops [4] alone sufficient for this court of appeal, he shall do what seems to him good."

[1] The Greek text has τοῖς ἀγχιστεύουσι τῇ ἐπαρχίᾳ; the Latin, "qui in finitima et propinqua provincia sunt,"—which is no important difference.

[2] According to Mansi's proposed correction of the text, which we have already inserted.

[3] *De Concord. Sacerd. et Imp.* lib. vii. c. 3, § 11, p. 1001.

[4] Instead of τοῦ ἐπισκόπου we should probably read τοὺς ἐπισκόπους, *sc.* ἐξαρκεῖν. Cf. *Tübing. Theol. Quartalschrift*, 1825, p. 26, note xx.

A comparison of this canon[1] with the third part of the third canon shows that it only gives a more accurate exposition of the earlier one, and more precisely defines the method of conducting the appeal. First, if in the third canon it is only said that the judges of the first court may refer the matter to Rome, this canon supplements it by saying that the accused bishop also may himself appeal to Rome. Secondly, for completeness' sake, what was, however, a matter of course, is added: that in case the Pope summoned bishops of the neighbouring province to the court of second instance, he should give them notice by letter. But it is an entirely new and essential modification of the third canon, that the Pope should not only have the power of adding some Roman priests to the court of second instance, but of authorizing these legates to preside at it.

Clear as the meaning of those three canons may seem after what has been said, yet a violent controversy has arisen between the Gallican and Curialist theologians, in which neither party regarded the text from a quite impartial point of view, but each sought chiefly to make capital out of it, for their own particular system of canon law.

The first question which arose was to this effect, whether the rights ascribed to the Pope in these canons had been newly given to him by the Synod of Sardica, when he had not possessed them at all before. This was affirmed by the Gallicans; for instance, by Peter de Marca,[2] Quesnel,[3] Du-Pin,[4] Richer,[5] and others, as also by Febronius[6] and his followers. It seems to me that Natalis Alexander,[7] though himself a Gallican, and after him the Ballerini,[8] Palma,[9] Roskovany[10]

[1] Also received into the *Corp. Jur. Can.* c. 36, causa ii. 9. 6.

[2] *De Concord.*, etc., lib. vii. c. 3, § 6.

[3] Cf. Ballerin. *Observ.* in Part i. diss. v.; Quesnelli, in their edition of the works of Leo, t. ii. p. 951. 14.

[4] Du-Pin, *De Antiqua Eccles. Discipl.* diss. ii. c. 1, sec. 3, p. 86 sq. ed. Magunt.

[5] Richer, *Hist. Concil. General*, lib. i. c. 3, sec. 4, p. 93, ed. Colon.

[6] Febron. *De Statu Eccles.* cap. 5, secs. 5, 6.

[7] Nat. Alex. *Hist. Eccl.* sec. iv. diss. 28, propos. i. p. 461 sqq.

[8] Ballerin. ed. *Opp. d. Leonis*, t. ii. p. 947 sqq., and especially p. 978 sqq.

[9] Palma, *l.c.* pp. 86–89.

[10] Roskovany, *De Primatu Rom. Pont.* Augustæ Vindel 1834, pp. 191, 195.

(now Bishop of Neutra in Hungary), and others, have conclusively shown that this was not the case, but rather that the right of the Pope to receive appeals was involved in the idea of the Primacy as a divine institution, and had in fact been exercised before the Synod of Sardica, which only expressly defined and declared it. The formula, *si placet*, has not here the meaning often ascribed to it by synods, *i.e.* "if pleasing to you, we will introduce a new thing,"—in dogmatic expressions such a meaning would indeed be heterodox,—but: "if pleasing to you, we will declare and pronounce[1] this or that." In like manner, in the words of the third canon: *Sancti Petri Apostoli memoriam honoremus*, there is no good ground for supposing that the Synod had here conferred upon the Pope an entirely new right; for every direct acknowledgment even of an ancient papal right is always made out of reverence to S. Peter, as the person upon whom the primacy was conferred by Christ. Moreover, this right of appealing to Rome was not universally acknowledged at the time of the Synod of Sardica; on the contrary, the Eusebians themselves had only recently disputed this prerogative with Pope Julius,[2] and they also plainly call it in question, in their Encyclical from Philippopolis, in the words: *ut Orientales episcopi*,[3] etc.

The second controversy as to the meaning of this canon was again occasioned by the Gallicans through the assertion of the well-known syndic of the Sorbonne, Edmund Richer, that as in the third canon Pope Julius was expressly mentioned, therefore the prerogative there spoken of was assigned to this Pope only in his own person, and not to his successors.[4] This has been well refuted by the famous Protestant, Spittler, in these words: "It is said that these Sardican decisions were simply provisional, and intended for the present necessity; because Athanasius, so hardly pressed

[1] Cf. Nat. Alex. *l.c.* p. 463 *a*: "Mos enim solemnis est veteribus conciliis, cum antiquas Ecclesiæ consuetudines legesque non scriptas renovant, illas proponere, quasi de novo instituerint," etc.

[2] Cf. the Pope's letter in Athanas. *Apolog. contra Arian.* c. 22, 23, 25. Cf. above, page 54.

[3] Cf. below, sec. 67.

[4] Richer, *Hist. Conc. General*, lib. i. c. 3, sec. 4, p. 90.

by the Arians, could only be rescued by authorizing an appeal to the Bishop of Rome for a final judgment. Richer, in his *History of the General Councils*, has elaborately defended this opinion, and Horix[1] also has declared in its favour. But would not all secure use of the canons of the Councils be done away with if this distinction between provisional and permanent synodal decisions were admitted? Is there any sure criterion for distinguishing those canons which were only to be provisional, from the others which were made for all future centuries? The Fathers of the Synod of Sardica express themselves quite generally; is it not therefore most arbitrary on our part to insert limitations? It is beyond question that these decisions were occasioned by the very critical state of the affairs of Athanasius; but is everything only provisional that is occasioned by the circumstances of individuals? In this way the most important of the ancient canons might be set aside."[2]

We further add, that in the fourth and fifth canons, which speak of the same prerogative of Rome, the Bishop of Rome generally is mentioned, not Pope Julius in particular; and secondly, that the Sardican Fathers, even if they had desired simply to help Athanasius, could not possibly have ensured their end by assigning that prerogative to Julius alone, as he might have died within a few months, and then could no longer have protected the oppressed.

The third controversy touches the character of the prerogative which these canons ascribe to the Pope. The Gallicans, as also Van Espen and Febronius, maintain that no real appeal to Rome is there admitted, but that it only treats of a revision of the first sentence, and that only the right of ordering such a revision is assigned to the Pope.[3] That this was so, they proved from the fact that the judges of the court of first instance might also sit on the court of appeal, but

[1] *In Concordatis nationis German integris*, etc., t. ii. p. 25, t. iii. pp. 129–132.

[2] Spittler, in the treatise, "Critical Examination of the Sardican Decisions," first printed in Meusel's *Geschichtsforscher*, Part iv. Halle 1777; again, in Spittler's *Sämmtlichen Werken*, published by Karl Wächter, Part viii. p. 129 sq.

[3] Cf. Du-Pin, *De Antiqua Eccl. Discipl.* diss. ii. c. i. sec. 3, pp. 86, 88, ed. Magunt.

strengthened by bishops from another province.[1] In fact, it is of the essence of a court of appeal that the judges of the first court should have no voice in it; that is, the appeal is a means of obtaining justice by devolution. If, then, it were really true that the canons of Sardica allowed the judges of the first court to take part in the sentence pronounced by the second, this would certainly be no case of appeal. But it is not so; the canons undeniably say quite the reverse, and plainly exclude the judges of the first court from the second, so that only great prejudice could have given rise to such a confusion, which had already been refuted by Natalis Alexander,[2] the Ballerini,[3] Palma,[4] and others. The Gallicans, however, can only bring forward on their side Hincmar of Rheims,[5] who has indeed fallen into the same error, but is not able to substantiate his view.

The second feature in the character of an appeal is, that it acts suspensively, that is, that the former judges cannot proceed, nor the sentence of the first court be put in force, until the appeal is rejected, or the sentence of the second court is pronounced. But the fourth canon shows that the prerogative which these canons ascribe to the Pope bears also this mark of a true right of appeal. Moreover, the fifth canon gives to these words, "to apply to the Pope," the express title of an appeal, ἐκκαλεσάμενος, *appellaverit;* and lastly, the fact that the Pope was to appoint the judges of the second court, and send his own legates, plainly shows that this second court was really his own, not a foreign one, but one appointed by him,—a circumstance which points to a formal appeal, not only a revision.

Having so far combated the Gallicans, we must now turn round upon the Curialists. First of all, this statement of Palma's is incorrect: "Of the canons of Sardica, the most celebrated were those *in quibus de appellationibus agitur, a*

[1] Cf. Van Espen, *l.c.* p. 269; Marca, *l.c.* sec. 14; Du-Pin, *l.c.* p. 90, ed. Magunt.

[2] Natal. Alex. *Hist. Eccl.* sec. iv. diss. 28, propos. ii. p. 463 sqq.

[3] *l.c.* p. 951 sqq.

[4] Palma, *l.c.* p. 92.

[5] That is, in the letter written by him in the name of Charles the Bald to Pope John VIII. Cf. Nat. Alex. *l.c.* p. 465 *a*; Marca, *l.c.* lib. vii. c. 3, sec. 14.

quolibet Episcoporum judicio ad Romanum Pontificem deferendis."[1] This is not true. The canons of Sardica only speak of an appeal in one case, namely, when a bishop was deposed by his comprovincials; other cases are not mentioned at all, and, as a glance at the text of the canons unquestionably shows, in all other cases the appeal is neither affirmed nor denied.

The Ballerini and Palma further maintain that these canons also ascribe to the Pope the right of transferring the whole process, with its investigation, upon such an appeal being made, to Rome, and of himself deciding, therefore, without the presence of the neighbouring bishops.[2] The canons nowhere say this; what they expressly insist upon is, that to the Pope belongs the appointment of a second court, for which he is to designate bishops from the neighbouring province, but may also appoint legates of his own. Even when in those three canons a decision of Rome is spoken of in general terms only, as for instance at the end of the fourth, this cannot be understood in a sense favourable to Palma and the Ballerini; for the true meaning is, that the Pope alone, and in his own person, decides whether the appeal shall be allowed, and a second judgment ordered or not. In this last case he confirms the sentence of the first court; in the other, he orders the second investigation; but that he himself, instead of the court appointed by him, should conduct the investigation of the second court, is nowhere said. Further on, indeed, at the end of the fifth canon, these words occur: "The Pope shall do what seems to him good;" but neither by this are we to understand that the Pope should himself conduct the second investigation, but that he should decide whether or not to send his own legates to the court of appeal.

There remains one more point on which I cannot agree with the Ballerini and Palma.[3] They have conceded to the Galli-

[1] Palma, *l.c.* p. 86. Palma repeats the same in somewhat different words in p. 91: *de quibuslibet ecclesiasticis judiciis, in quibus ad eum* (the Pope) *fuerit appellatum.*

[2] Ballerini, *l.c.* pp. 950, 951; Palma, *l.c.* p. 93.

[3] *Opp. S. Leonis*, t. ii. pp. 947–950; Palma, *l.c.* pp. 88, 89, 92.

cans that the third canon does not speak of the actual appeal, but only of the revision, and that the appeal is first treated of in the fourth and fifth canons.[1] The first ground for this concession is their embarrassment as to the words: *Si vobis placet, Sancti Petri Apostoli memoriam honoremus.* They were of opinion that these words meant that a prerogative was here granted to the Pope which he had not *de jure,* but only as a matter of courtesy, and therefore that this prerogative could not be the right of appeal which was *juris divini.* They said, therefore, that a fresh examination of the complaint, that is, a revision, might have taken place at a new and greater synod, even without the papal intervention, as is clear from the fourteenth Antiochian canon; but that the Synod of Sardica had also in this case given to the Pope the power of intervention, in order that the revision might more surely take place. I believe, however, that this expedient is unnecessary: the words *memoriam . . . honoremus* are, as we showed above,[2] in nowise so dangerous; while the third and fifth canons agree so well together, that if in the latter a real appeal is meant, then the former must have the same meaning. The fifth canon treats of the sentence of the first court of comprovincials as does the third canon.[3] The fifth canon, like the third, treats of the appeal from it to the Pope. In the fourth canon the Pope appoints bishops from the neighbouring province as judges in the second court, as in the third canon. And yet they say that the fifth canon speaks of a real appeal, and not the third, simply because, according to the fifth canon, the condemned bishop himself demands the interposition of Rome, while, according to the third, this is done by the judges of the first court at the desire of the bishop! This is not credible. Besides this, the appeal of Palma[4] and the Ballerini to the fourteenth Antiochian canon is most infelicitous. First, because that canon only allows a second investigation in case of the judges of the first

[1] Walter takes the same view in his *Kirchenrecht,* 11th edition, p. 34, note 27, which accepts without alteration, and exhibits very clearly, the results of the Ballerini's examination.

[2] Cf. *supr.* pp. 122, 123.

[3] Palma, *l.c.* p. 90, expressly says this.

[4] Palma, *l.c.* p. 88.

court (the comprovincials) being divided among themselves, while in the case of their being unanimous, the fifteenth canon of Antioch expressly forbids it. On the other hand, the Sardican canon allows the right of appeal in all cases, and therefore in the case of the sentence of the first court having been given unanimously. Thus the Sardican canon allows what the Antiochian canon forbids, and it is wrong to conclude that a second investigation was already sanctioned by the fourteenth Antiochian canon. Secondly, according to the fourteenth Antiochian canon, the court of appeal was again to consist of the comprovincial bishops, *i.e.* of the same judges as the first court, with only the addition of a few foreign bishops. This second court ordered by the Antiochian Synod is therefore quite different from that of which the Sardican canon treats; and consequently it is not correct to say that a second court of that description was already ordered by the Synod of Antioch. Moreover, thirdly, according to the third canon also, the Pope was not only to decide as to the necessity or not of a second court, but was himself to name the judges who were to form it, as in the fifth canon. Thus this second court, as we have before shown in refuting the Gallicans, was not to be a foreign one, but one appointed by the Pope, that is, his own court.

The Ballerini and Palma have, besides, a still further reason for supposing the third canon not to refer to the actual appeal, and this lies in their interpretation of the fourth canon. As we showed just now,[1] they gave it this meaning, that even after the sentence of the second court of bishops from the neighbouring province, another appeal to Rome might take place, and that in this case the Pope alone should decide. But if they wanted to discover here an appeal after the sentence of the second court, they could not venture to interpret the third canon also of an actual appeal, or they would have been involved in the absurdity of two appeals to Rome, so that the Pope, having pronounced judgment in the second court, would have been again appealed to in the third court; thus the appeal would have been from the Pope to himself.

In order to avoid this, and not to abandon the meaning

[1] Cf. *supr.* p. 117.

given by themselves to the fourth canon, it was necessary for them not to recognise any actual appeal in the third canon. They were bent, however, on maintaining their explanation of the fourth canon, in order to gain some ground for the assertion that the Pope might also himself decide at Rome, since they, quite arbitrarily, interpreted the words already mentioned at the end of the fourth canon, *ἐὰν μὴ ὁ τῆς Ῥωμαίων ἐπίσκοπος*, *κ.τ.λ.*, in this way.[1]

To sum up then, we obtain the following result from these three canons:—

1. When a bishop has been deposed by his comprovincials at the Provincial Synod, but still thinks his cause a good one, he may, according to the fifth canon, either appeal to Rome himself, or through the judges of the first court.[2]

2. Rome now decides whether the appeal shall be allowed or not. In the latter case, it confirms the sentence of the first court; in the former, it appoints a second court.[3]

3. Rome nominates as judges for the second court bishops from the neighbourhood of the province in question.[4]

4. To this court the Pope may, however, also send legates of his own, who will then take the presidency in his name.[5]

5. In case a bishop deposed by the first court appeals to Rome, his See may not be given to another until Rome has decided, that is, has either confirmed the sentence of the first court, or appointed a court of appeal.[6] In the latter case it is, of course, understood that the sentence of the second court must be awaited before anything can be decided as to any fresh appointment to the See.[7]

Finally, we add (1) that, as is well known, Pope Zosimus, in the discussion with the African bishops on the affair of the presbyter Apiarius of Sicca (417–418 A.D.), appealed to these Sardican decrees, holding them to be Nicene, and calling them so;[8] and (2) that, as is well known, the Church discipline

[1] Cf. Palma, *l.c.* p. 93; Ballerini, *l.c.* p. 950, n. 10. [2] Canon 3.
[3] Canon 3. [4] Canons 3 and 5. [5] Canon 5. [6] Canon 4.
[7] I could not obtain an ancient treatise concerning the Synod of Sardica in general, and the three canons just mentioned in particular, by Marchetti, *Del Concilio di Sardica e de' suoi Canoni sù la forma de Giudizi Ecclesiastici*, Rom. 1783; but to judge from Marchetti's other writings, the loss may not be great.
[8] Cf. *supr.* vol. i. p. 356.

contained in the Sardican canons has in course of time been altered again, and the right of deposing a bishop, even in the first court, has been taken from the provincial synods, and entirely transferred to Rome as a *causa major*. We meet with this mediæval alteration of the Sardican discipline, which was occasioned by the circumstances of the age, for the first time, in the Hincmar quarrels of the ninth century, concerning Rothad of Soissons and Hincmar the younger of Laon, and it found its full expression in the pseudo-Isidorian decrees.[1]

Can. 7.[2]

Ὅσιος ἐπίσκοπος εἶπεν· Ἐὰν συμβῇ ἐν μιᾷ ἐπαρχίᾳ, ἐν ᾗ πλεῖστοι ἐπίσκοποι τυγχάνουσιν, ἕνα ἐπίσκοπον ἀπομεῖναι, κἀκεῖνος κατά τινα ἀμέλειαν μὴ βουληθῇ συνελθεῖν καὶ συναινέσαι τῇ καταστάσει τῶν ἐπισκόπων, τὰ δὲ πλήθη συναθροισθέντα παρακαλοῖεν γίγνεσθαι τὴν κατάστασιν τοῦ παρ' αὐτῶν ἐπιζητουμένου ἐπισκόπου· χρὴ πρότερον ἐκεῖνον τὸν ἐναπομείναντα ἐπίσκοπον ὑπομιμνήσκεσθαι διὰ γραμμάτων τοῦ ἐξάρχου τῆς ἐπαρχίας, λέγω δὴ τοῦ ἐπισκόπου τῆς μητροπόλεως, ὅτι ἀξιοῖ τὰ πλήθη ποιμένα αὐτοῖς δοθῆναι· ἡγοῦμαι καλῶς ἔχειν καὶ τοῦτον ἐκδέχεσθαι, ἵνα παραγένηται· εἰ δὲ μὴ διὰ γραμμάτων ἀξιωθεὶς παραγένηται, μήτε μὴν ἀντιγράφοι, τὸ ἱκανὸν τῇ βουλήσει τοῦ πλήθους χρὴ γενέσθαι.

Χρὴ δὲ ταὶ μετακαλεῖσθαι καὶ τοὺς ἀπὸ τῆς πλησιοχώρου ἐπαρχίας ἐπισκόπους πρὸς τὴν κατάστασιν τοῦ τῆς μητροπόλεως ἐπισκόπου.

Μὴ ἐξεῖναι δὲ ἁπλῶς καθιστᾶν ἐπίσκοπον ἐν κώμῃ τινὶ ἢ βραχείᾳ πόλει, ᾗτινι καὶ εἷς μόνος πρεσβύτερος ἐπαρκεῖ· οὐκ ἀναγκαῖον γὰρ ἐπισκόπους ἐκεῖσε καθίστασθαι, ἵνα μὴ κατευτελίζηται τὸ τοῦ ἐπισκόπου ὄνομα καὶ ἡ αὐθεντία, ἀλλ' οἱ τῆς ἐπαρχίας ὡς προεῖπον ἐπίσκοποι ἐν ταύταις ταῖς πόλεσι καθιστᾶν ἐπισκόπους ὀφείλουσιν, ἔνθα καὶ πρότερον ἐτύγχανον γεγονότες ἐπίσκοποι· εἰ δὲ εὑρίσκοιτο οὕτω πληθύνουσά τις ἐν

[1] Cf. my treatise on pseudo-Isidore in the *Tübing. Theol. Quartalschrift*, 1847, pp. 641, 647, 653 sqq., 658 sqq., and the article: Hincmar of Rheims, Hincmar of Laon, and pseudo-Isidore, in the *Kirchenlexicon* of Wetzer and Welte.

[2] In Dionysius and the *Prisca* 5 and 6, in Isidore 6.

πολλῷ ἀριθμῷ λαοῦ πόλις, ὡς ἀξίαν αὐτὴν καὶ ἐπισκοπῆς νομίζεσθαι, λαμβανέτω. εἰ πᾶσιν ἀρέσκει τοῦτο; ἀπεκριναντο πάντες· Ἀρέσκει.

"Osius episcopus dixit: Si contigerit, in una provincia, in qua plurimi fuerint episcopi, unum forte remanere episcopum, ille vero per negligentiam noluerit (ordinare) episcopum, et populi convenerint, episcopi vicinæ provinciæ debent illum prius convenire episcopum, qui in ea provincia moratur, et ostendere, quod populi petant sibi rectorem, et hoc justum esse, ut et ipsi veniant, et cum ipso ordinent episcopum; quod si conventus literis tacuerit et dissimulaverit nihilque rescripserit, satisfaciendum esse populis, ut veniant ex vicina provincia episcopi et ordinent episcopum.

"Licentia vero dauda non est ordinandi episcopum aut in vico aliquo aut in modica civitate, cui sufficit unus presbyter, quia non est necesse ibi episcopum fieri, ne vilescat nomen episcopi et auctoritas. Non debent illi ex alia provincia invitati facere episcopum, nisi aut in his civitatibus, quæ episcopos habuerunt, aut si qua talis aut tam populosa est civitas, quæ mereatur habere episcopum. Si hoc omnibus placet? Synodus respondit: Placet."

This canon is divided into two parts, distinguished by Dionysius and others completely from each other; the first of which, in the Greek text, has quite a different meaning from the Latin. The Greek text supposes the case of a province where there are a great many bishops, of whom one remains behind, and from carelessness neglects to attend an election of a bishop in another part of the province where the people of the town desire a bishop. The question then is, Shall this wish be granted without delay, and the new bishop be appointed without awaiting the arrival of his absent colleague?

This the Synod forbids, probably because in the fourth Nicene canon the right of the bishops to take part in all episcopal elections in the province was already acknowledged. In order that this right of the absent bishop should not be prejudiced, the Synod orders that "before steps are taken as to the choice of a bishop for the vacant See, the exarch of the province, *i.e.* the bishop of the metropolis, shall intimate by letter to the absent

bishop that the people desire a pastor, that they shall wait a certain time to enable him to come; but if, after receiving this letter, he does not come or send any answer, the wishes of the people shall be complied with." Appended to this is the further rule, which is entirely omitted in the Latin, that "at the appointment of a metropolitan, the bishops of the neighbouring provinces shall also be invited;" probably in order to give greater solemnity to the act.[1]

The Latin text, which differs essentially, says: "If there is only one bishop left in a province where there were formerly many[2] (for instance, in consequence of a pestilence or war), and he neglects to consecrate any other bishop,[3] but the people have recourse to the bishops of the neighbouring province,[4] in order through them to obtain other bishops, these bishops must place themselves in communication with the sole remaining bishop of that province,[5] and represent to him that the people desire a shepherd and pastor; and then in union with him they shall consecrate a new bishop. If he, however, gives no answer to their letter, and thus refuses to take part in the consecration, they shall grant the wishes of the people, and perform it without him."

In this way our Latin text is interpreted by Van Espen, Christianus Lupus, and others; and the latter adds that, according to Flodoard's *History of the Church of Rheims*,[6] the

[1] The two old Greek scholiasts, Balsamon (in Bevereg. i. 490) and Aristenus (*ibid.* p. 492), have thus interpreted the text; and of later writers, especially Van Espen, *l.c.* p. 269 sq.; Tillemont (t. viii. p. 48), and Herbst (*Tüb. Quartalschrift*, 1825, p. 32).

[2] Instead of *plurimi*, one codex reads *non plurimi*. But although Hardouin (*Collect. Concil.* t. i. p. 642 ad marg.) declares the last reading to be by far the best, it is neither critically supported, nor calculated to remove the difficulties of interpretation.

[3] The *ordinare*, which is wanting in Dionysius, stands in Isidore and the *Prisca*. Moreover, as according to the fourth Nicene canon this single bishop might not consecrate any other,—for this, three bishops were needed,—the words must necessarily have this meaning: "If he from carelessness neglects himself to take the initiative, and to summon bishops from the neighbouring provinces for the consecration of new colleagues," etc.

[4] In the *Prisca* it stands very similarly: *Et populi confugerint ad vicinos provinciæ episcopos.*

[5] *Convenire*, sc. *per literas.*

[6] Flodoard, *Geschichte der Rheimser Kirche* (lib. iii. c. 20).

Gallican church also formerly acted upon the canon in this sense.[1] This interpretation is also quite unmistakeably indicated in the text of the canon which Gratian received into the *Corpus Juris*.[2]

The meaning given to the canon by the old Greek scholiast Zonaras, occupies an intermediate place between the meaning of the Greek and the Latin text, as just defined. According to his view, it means: "If a province once numbered many bishops, but some are dead, others deposed, others absent, so that besides the metropolitan only one remains, and he neglects to be present at the consecration of new bishops, the metropolitan shall then summon him by letter; and if he still does not come, shall grant the wish of the people, and appoint a new bishop."[3] In like manner does another Greek of the Middle Ages, Harmenopulus,[4] interpret the canon. Whether, in such case, the metropolitan might himself alone consecrate the new bishop, in contradiction to the fourth Nicene canon, Zonaras does not say; but Harmenopulus expressly maintains this, and argues it from the τὸ ἱκανὸν, κ.τ.λ.

The old Latin translation of the Greek text which Maffei found in a codex at Verona[5] has something quite peculiar to itself. It also gives the words: "If in a province only one bishop is left besides the metropolitan," and therefore so far agrees with Zonaras. On the other hand, it interprets the fatal *plurimi* quite differently from all other texts, in adding *ordinandi*, so that the meaning becomes: "If in this province several new bishops are to be consecrated," of course because besides the metropolitan only one is left. "If this one does not appear at the consecration, the metropolitan shall invite him by letter," etc.; here it agrees with our Greek text. "If, even after this invitation, he does not appear, the metropolitan shall summon bishops of the neighbouring province, and in union with them shall perform the consecration." We see that the Greek text from which this old translation is taken agrees far more closely with the last words of the Latin text of Diony-

[1] Van Espen, *l.c.* pp. 269, 270.
[2] C. 9, dist. 65.
[3] In Bevereg. t. i. p. 491.
[4] Also in Bevereg. t. ii. *Annotat.* p. 200.
[5] Printed in Mansi, t. vi. p. 1204; and in *Leonis Opp.* ed. Ballerini, t. iii. p. 591.

sius, etc., than with our Greek text, and thus we are no longer perplexed by finding mention made suddenly, in a little half sentence, of something quite new, and without any connection with the context, namely, the consecration of a metropolitan. On this account the Ballerini have given preference to this way of reading the Greek text, now lost, and represented by this old translation.[1]

This first part of the canon, which we have now been discussing, is said to have been quoted as Nicene by the bishops assembled at Constantinople in 382. So think Hardouin,[2] Mansi,[3] the Ballerini,[4] and others. Spittler[5] contradicts them, and is of opinion that the bishops at Constantinople may perhaps have had in view the fourth Nicene canon. Let us examine who is in the right. The Fathers of Constantinople say in the passage in question, that the Nicene rule had come into practice, that in every province the provincial bishops might consecrate, and, if they wished, also call to their assistance the neighbouring bishops[6] (of another province). Now it is clear that, according to the Greek text, this Sardican canon says something quite different; but according to the Latin, something similar, though not exactly the same. The fourth Nicene canon, on the contrary, orders that, "at the consecration of a bishop, all the bishops of the province shall be there; but if this cannot well be, at least three shall be present." It is evident that here something quite different is meant from that to which the bishops of Constantinople refer. Spittler is of opinion that the meaning of the Nicene canon was that the three bishops, who were sufficient for the consecration, were to be taken from the neighbourhood of the place where the consecration was held. Therefore he says that they might at Constantinople have been fitly designated as *finitimi*, and that the passage referred to by the Constantinopolitans speaks, too, only of *finitimis*, of neighbouring bishops, but not

[1] *S. Leonis Opp.* t. iii. p. xxxii. 4.
[2] Hardouin, *Coll. Concil.* t. i. p. 823 ad marg.
[3] Mansi, t. iii. p. 585, note 4.
[4] Ballerini, ed. *Opp. S. Leonis. M.* t. iii. p. 41.
[5] In his treatise concerning the Sardican decrees, *Sammtl. Werke*, vol. viii. pp. 147 sq.
[6] Hardouin et Mansi (*ll.cc.*).

bishops of the neighbouring province, as did the Synod of Sardica. This is true; but in the first place, the three *finitimi episcopi* of the Nicene canon perform the consecration alone, because the other comprovincials are absent. The *finitimi* of the Constantinopolitan rule, on the contrary, assist the comprovincials who are present, and only strengthen them. Hence it follows, secondly, that the *finitimi* of the Constantinopolitan rule do not belong to the same province, but to another; because, as the text plainly shows, they act with the comprovincials, but not in their stead, or as their commissaries, as the Nicene canon orders. It is therefore quite impossible that the bishops of Constantinople can here have had in view the fourth canon of Nicæa; and Spittler is only so far right in saying that they do not quote the Sardican canon accurately,[1] but give it far too wide a scope in giving universal permission for the assistance of foreign bishops, while the Synod of Sardica confines this to one particular case. There is, moreover, in the *si velint* of the Constantinopolitans, and in *πρὸς τὸ συμφέρον* (for the sake of utility), a restriction, as these passages mean that those neighbours were only to be summoned if the good of the Church required it, and the comprovincials so decided.

From all this we gather something further. Not only does the Latin text of Dionysius and others, as we before remarked, say something of the same kind as the Fathers of Constantinople, but the old Latin translation of the Greek text above mentioned also gives this meaning, and hence it follows that the bishops of Constantinople must have had a Greek text which, differing from our present one, gave the canon the meaning which we laid down in page 132; or, in other words, that the old Latin translation in question represents the most ancient Greek text as it was arranged a few years after the Synod of Sardica. We may therefore consider this Greek text as the genuine and original one, because it is far easier to make this than our present Greek text harmonize with the Latin original text.

[1] If they confused the canon of Sardica with one of the Nicene canons, the reason was the same, doubtless, as in the case of Zosimus. Cf. vol. i. pp. 356 sq.

The second part of our canon, in Dionysius and in the *Prisca* the sixth canon, in Isidore the last half of the sixth canon, offers fewer difficulties. Its meaning is: "In order that the episcopal dignity may not suffer, it is not allowed to appoint a bishop in a village or small town where one priest suffices; but the bishops of the province shall only appoint one for those places where there have been bishops before. If, however, a town is so populous as to appear worthy of a bishop, it shall obtain one."

Instead of "bishops of the province," the Latin text in Dionysius, Isidore, and the *Prisca* has, *ex alia provincia invitati episcopi;* and the old Latin translation from the Greek agrees with this, as it reads, *episcopi vicinæ provinciæ.* This clause is thus placed in still closer connection with the preceding part, as it declares that, "If, as was supposed in the preceding part, a province has no more bishops left, and therefore bishops from the neighbouring province have to be summoned to consecrate new pastors, yet even then they shall not appoint bishops to small towns and villages which have had none hitherto." We see, moreover, that the main substance of this rule is the same in the Greek as in the Latin text.

Can. 7.[1]

Ὅσιος ἐπίσκοπος εἶπεν· Ἡ ἀκαιρία ἡμῶν καὶ ἡ πολλὴ συνέχεια καὶ αἱ ἄδικοι ἀξιώσεις πεποιήκασιν ἡμᾶς μὴ τοσαύτην ἔχειν χάριν καὶ παῤῥησίαν, ὅσην ὀφείλομεν κεκτῆσθαι· πολλοὶ γὰρ τῶν ἐπισκόπων οὐ διαλείπουσιν εἰς τὸ στρατόπεδον παραγενόμενοι, καὶ μάλιστα οἱ Ἄφροι, οἵτινες καθὼς ἔγνωμεν παρὰ τοῦ ἀγαπητοῦ ἀδελφοῦ ἡμῶν καὶ συνεπισκόπου Γράτου τὰς σωτηριώδεις συμβουλὰς οὐ παραδέχονται, ἀλλὰ καταφρονοῦσιν οὕτως, ὡς ἕνα ἄνθρωπον εἰς τὸ στρατόπεδον πλείστας καὶ διαφόρους καὶ μὴ δυναμένας ὠφελῆσαι τὰς ἐκκλησίας δεήσεις διακομίζειν, καὶ μὴ, ὡς ὀφείλει γίνεσθαι καὶ ὡς προσῆκόν ἐστι, τοῖς πένησι καὶ τοῖς λαϊκοῖς ἢ ταῖς χήραις συναίρεσθαι καὶ ἐπικουρεῖν, ἀλλὰ κοσμικὰ ἀξιώματα καὶ πράξεις περινοεῖν τισιν· αὕτη τοίνυν ἡ σκαιότης τὸν θρυσμὸν οὐκ ἄνευ σκανδάλου τινὸς ἡμῖν καὶ καταγνώσεως προξενεῖ· πρεπωδέστερον δὲ εἶναι ἐνόμισα,

[1] In Dionysius, Isidore, and the *Prisca*, canon 8.

ἐπίσκοπον τὴν ἑαυτοῦ βοήθειαν παρέχειν ἐκείνῳ, ὅστις ἂν ὑπό τινος βιάζηται ἢ εἴ τις τῶν χηρῶν ἀδικοῖτο ἢ αὖ πάλιν ὀρφανός τις ἀποστεροῖτο τῶν αὐτῷ προσηκόντων, εἴπερ ἄρα καὶ ταῦτα τὰ ὀνόματα δικαίαν ἔχει τὴν ἀξίωσιν. εἰ τοίνυν, ἀγαπητοὶ ἀδελφοὶ, πᾶσι τοῦτο δοκεῖ, ἐπικρίνατε μηδένα ἐπίσκοπον χρῆναι εἰς τὸ στρατόπεδον παραγίνεσθαι, παρεκτὸς τούτων, οὓς ἂν ὁ εὐλαβέστατος βασιλεὺς ἡμῶν τοῖς ἑαυτοῦ γράμμασι μετακαλοῖτο. ἀλλ' ἐπειδὴ πολλάκις συμβαίνει τινὰς οἴκτου δεομένους καταφυγεῖν ἐπὶ τὴν ἐκκλησίαν, διὰ τὰ ἑαυτῶν ἁμαρτήματα εἰς περιορισμὸν ἢ νῆσον καταδικασθέντας ἢ δ' αὖ πάλιν οἱαδηποτοῦν ἀποφάσει ἐκδεδομένους, τοῖς τοιούτοις μὴ ἀρνητέαν εἶναι τὴν βοήθειαν, ἀλλὰ χωρὶς μελλησμοῦ καὶ ἄνευ τοῦ διστάσαι τοῖς τοιούτοις αἰτεῖσθαι συγχώρησιν· εἰ τοίνυν καὶ τοῦτο ἀρέσκει, σύμψηφοι γίνεσθε ἅπαντες. ἀπεκρίναντο ἅπαντες· Ὁριζέσθω καὶ τοῦτο.

"Osius episcopus dixit: Importunitates et nimia frequentia et injustæ petitiones fecerunt, nos non tantam habere vel gratiam vel fiduciam, dum quidam non cessant ad comitatum ire episcopi, et maxime Afri, qui (sicut, cognovimus) sanctissimi fratris et coëpiscopi nostri Grati salutaria consilia spernunt atque contemnunt, ut non solum ad comitatum multas et diversas Ecclesiæ non profuturas perferant causas, neque ut fieri solet aut oportet, ut pauperibus aut viduis aut pupillis subveniatur, sed et dignitates seculares et administrationes quibusdam postulent. Hæc itaque pravitas olim non solum murmurationes, sed et scandala excitat. Honestum est autem, ut episcopi intercessionem his præstent qui iniqua vi opprimuntur aut si vidua affligatur aut pupillus exspolietur, si tamen isthæc nomina justam habeant causam aut petitionem. Si ergo vobis, fratres carissimi, placet, decernite, ne episcopi ad comitatum accedant, nisi forte hi, qui religiosi imperatoris literis vel invitati vel evocati fuerint. Sed quoniam sæpe contingit, ut ad misericordiam Ecclesiæ confugiant, qui injuriam patiuntur, aut qui peccantes in exilio vel insulis damnantur; aut certe quamcunque sententiam excipiunt, subveniendum est his et sine dubitatione petenda indulgentia. Hoc ergo decernite, si vobis placet. Universi dixerunt: Placet et constituatur."

This canon, which has also been partly taken into the

Corpus Juris Canonici,[1] forbids the bishops to visit the Court and present petitions, and says: "Bishop Hosius said: our troublesome and oft-repeated importunities and unjust petitions have caused us to stand in less favour, and hindered our being able to be as free-spoken, as ought to be the case. For many bishops are in the habit of coming to the Imperial Court, especially the Africans, who, as we have heard, do not accept the wholesome advice of our colleague and brother Bishop Gratus,[2] but so utterly despise it that some continually bring many different, and for the Church utterly useless, petitions; not, as it should be, for the care of the poor, the laity,[3] and the widows, but in order to gain some worldly honours and advantages. This disorderly conduct occasions us harm, and brings scandal and evil repute, and I held it to be more fitting that a bishop should lend his help to one who suffers violence from another, to a widow to whom injustice has been shown, or an orphan robbed of his possessions, as these are fair grounds for a petition. If then, dear brothers, this seems good to you all, direct that no bishop shall come to the Court, with the exception of those whom our pious Emperor himself by letter summons thither.[4] But as it often happens that persons in need of mercy, who on account of their crimes have been sentenced to transportation, or are bound by some other sentence, take refuge in the church, they must not be denied help, but without scruple or hesitation petition shall be made for their pardon.[5] If this pleases you, then let all agree. And all answered: Let this also be decided."

[1] C. 28, causa xxiii. quæst. 8.

[2] Gratus of Carthage was, as we know, a member of the Synod of Sardica, and does not here bear favourable testimony to his countrymen.

[3] Here the Latin text in Dionysius, Isidore, and the *Prisca* has *pupillis* instead of *laicis*, which seems better. But the old Latin translation from the Greek probably read λαϊκοῖς, as the corrupt version *liutius* instead of *laicis* shows. Mansi, t. vi. p. 1205. In other respects the Greek and Latin in this canon agree tolerably accurately.

[4] The Emperor Justinian, in his *Novella* vi. c. 2, for instance, demanded that every bishop should at least appear once at the Court; but in the seventh and thirteenth Council of Toledo, the bishops are ordered to appear at the Court, where the rescue of a fellow-creature depends upon it. Cf. Van Espen, *l.c.* pp. 271 sq.

[5] Concerning these petitions to be presented by the bishops, cf. also Van Espen, *l.c.* p. 272.

Can. 8.[1]

"Οσιος ἐπίσκοπος εἶπε· Καὶ τοῦτο ἡ ἀγχίνοια ὑμῶν κρινάτω, ἵν' ἐπειδὴ ἔδοξε διὰ τὸ μὴ πίπτειν ὑπὸ κατάγνωσίν τινα τῶν ἐπισκόπων ἀφικνούμενον εἰς τὸ στρατόπεδον, εἴ τινες αὐτῶν τοιαύτας ἔχοιεν δεήσεις, οἵων ἐπάνω ἐπεμνήσθημεν, διὰ ἰδίου διακόνου ἀποστέλλοιεν· τοῦτο γὰρ ὑπηρέτου τὸ πρόσωπον οὐκ ἐπίφθονον τυγχάνει, καὶ τὰ παρασχεθησόμενα θᾶττον διακομισθῆναι δυνήσεται. ἀπεκρίναντο πάντες· Καὶ τοῦτο ὁριζέσθω.

"Osius episcopus dixit: Hoc quoque providentia vestra tractare debet, quia decrevistis, ne episcoporum improbitas nitatur (better *notetur* in Isidore), ut ad comitatum pergant. Quicumque ergo quales superius memoravimus preces habuerint vel acceperint, per diaconum suum mittant; quia persona ministri invidiosa non est, et quæ impetravit celerius poterit referre."

Bishop Hosius proposed another addition to the rule about the Court, saying: "When it has been decided that a bishop shall incur no blame,[2] if he has to bring petitions to the Court for those unfortunate people above mentioned, this shall also be decided by your wisdom, that in such a case he shall send a deacon for this purpose to the Court. For the person of a servant does not raise any jealousy, and he can return quicker with the commission given him by the Emperor.[3] And all answered: Let this be decided." This canon has not been taken into the *Corpus Juris Can.*

Can. 9.[4]

"Οσιος ἐπίσκοπος εἶπε· Καὶ τοῦτο ἀκόλουθον νομίζω εἶναι, ἵνα ἐὰν ἐν οἱαδηποτοῦν ἐπαρχίᾳ ἐπίσκοποι πρὸς ἀδελφὸν καὶ συνεπίσκοπον ἑαυτῶν ἀποστέλλοιεν δεήσεις, ὁ ἐν τῇ μείζονι

[1] According to Dionysius, Isidore, and the *Prisca*, the first half of the ninth canon.

[2] The text of Dionysius: *ne episcoporum improbitas nitatur*, gives no good meaning; but instead of *nitatur* should probably be read *notetur*, as Isidore has it. The *Prisca* gives: *ne episcoporum importunitas depravetur.*

[3] So Zonaras explains this passage in Bevereg. t. i. p. 494; also Fuchs, *l.c.* p. 118; Van Espen, *l.c.* p. 273.

[4] In Dionysius, Isidore, and the *Prisca*, the second part of the ninth canon.

τυγχάνων πόλει, τοῦτ' ἔστι τῇ μητροπόλει, αὐτὸς καὶ τὸν διάκονον αὐτοῦ καὶ τὰς δεήσεις ἀποστέλλοι, παρέχων αὐτῷ καὶ συστατικὰς ἐπιστολὰς, γράφων δηλονότι κατὰ ἀκολουθίαν καὶ πρὸς τοὺς ἀδελφοὺς καὶ συνεπισκόπους ἡμῶν, εἴ τινες ἐν ἐκείνῳ τῷ καιρῷ ἐν τοῖς τόποις ἢ ἐν ταῖς πόλεσι διάγοιεν, ἐν αἷς ὁ εὐσεβέστατος βασιλεὺς τὰ δημόσια πράγματα διακυβερνᾷ.

Εἰ δὲ ἔχοι τις τῶν ἐπισκόπων φίλους ἐν τῇ αὐλῇ τοῦ παλατίου καὶ βούλοιτο περί τινος ὅπερ πρεπωδέστερον εἴη ἀξιῶσαι, μὴ κωλύοιτο διὰ τοῦ ἑαυτοῦ διακόνου καὶ ἀξιῶσαι καὶ ἐντείλασθαι τούτοις, ὥστε τὴν αὐτῶν ἀγαθὴν βοήθειαν ἀξιοῦντι αὐτῷ παρέχειν.

Οἱ δὲ εἰς Ῥώμην παραγινόμενοι, καθὼς προείρηκα, τῷ ἀγαπητῷ ἀδελφῷ ἡμῶν καὶ συνεπισκόπῳ Ἰουλίῳ τὰς δεήσεις, ἃς ἔχοιεν διδόναι, ὀφείλουσι παρέχειν, ἵνα πρότερος αὐτὸς δοκιμάζῃ. εἰ μή τινες ἐξ αὐτῶν ἀναισχυντοῖεν, καὶ οὕτω τὴν ἑαυτοῦ προστασίαν καὶ φροντίδα παρέχων εἰς τὸ στρατόπεδον αὐτοὺς ἀποστέλλοι. ἅπαντες οἱ ἐπίσκοποι ἀπεκρίναντο, ἀρέσκειν αὐτοῖς, καὶ πρεπωδεστάτην εἶναι τὴν συμβουλὴν ταύτην.

" Et hoc consequens esse videtur, ut de qualibet provincia episcopi ad eum fratrem et coëpiscopum nostrum preces mittant, qui in metropoli consistit, ut ille et diaconum ejus et supplicationes destinet, tribuens commendatitias epistolas pari ratione ad fratres et coëpiscopos nostros, qui in illo tempore in his regionibus et urbibus morantur, in quibus felix et beatus Augustus rempublicam gubernat.

" Si vero habet episcopus amicos in palatio, qui cupit aliquid quod tamen honestum est impetrare, non prohibetur per diaconum suum rogare ac significare his, quos scit benignam intercessionem sibi absenti posse præstare.

" X. Qui vero Romam venerint, sicut dictum est, sanctissimo fratri et coëpiscopo nostro Romanæ Ecclesiæ preces quas habent tradant, ut et ipse prius examinet, si honestæ et justæ sunt, et præstet diligentiam atque sollicitudinem, ut ad comitatum perferantur. Universi dixerunt, placere sibi et honestum esse consilium.

" Alypius episcopus dixit: Si propter pupillos et viduas vel laborantes, qui causas non iniquas habent, susceperint peregrinationis incommoda, habebunt aliquid rationis; nunc vero cum ca postulent præcipue, quæ sine invidia hominum et sine

reprehensione esse non possunt, non necesse est eos ire ad comitatum."

Again, on the proposal of Hosius, a further addition to the rule with regard to the Court was made, namely: "If a bishop sends his petition to the Court to the metropolitan,[1] the latter shall despatch a deacon with petitions to the Emperor, giving him, of course, at the same time[2] letters of recommendation to those bishops who may then be at the Court." This rule partly cancels the preceding one, as here the metropolitan despatches the deacon to the Emperor. The affair is probably to go through the hands of the metropolitan, in order, on the one hand, that he may be informed of what is occurring throughout the whole province, and at the same time be able to reject unfit petitions which any of his suffragans desire to bring to the Emperor; on the other hand, because he is in a position to give more weight to the just petitions. Zonaras, Balsamon, and Aristenus explained this canon somewhat differently, thus: "If a bishop desires to send his petitions addressed to the Emperor to the bishop of the town where the Emperor is then staying, he shall first send them to the metropolitan of that province (according to Aristenus, his own metropolitan), and the latter shall send his own deacon with letters of recommendation to the bishop or bishops who may be at the Court." This difference rests upon the various meanings of *πρὸς ἀδελφὸν καὶ συνεπίσκοπον* in the beginning of the canon. We understand by this his own metropolitan, and treat the words: *ὁ ἐν τῇ μείζονι τυγχάνων πόλει, τοῦτ' ἔστι τῇ μητροπόλει*, as a more exact definition of *συνεπίσκοπος*, and the participle *τυγχάνων* as equivalent to *τυγχάνει*, and make the principal clause begin at *αὐτὸς καὶ τὸν διάκονον*. Beveridge translated the canon in the same way. Zonaras and others, on the contrary, understood by *συνεπίσκοπος*, the bishop of the Emperor's residence for the time being, and regarded the

[1] According to the Latin text, it was expressly ordered that every bishop should send in his petition through the metropolitan. But the Greek text does not express clearly any such order. Yet the Greek scholiasts found such in it, because the eleventh Antiochian canon had already ordered the like, namely, that everything should pass through the hands of the metropolitan.

[2] *Κατ' ἀκολουθίαν = ἀκολούθως* (see Zonaras in Bevereg. t. i. pp. 495, 496) = in consequence = at once, at the same time.

words: ὁ ἐν τῇ μείζονι, κ.τ.λ., not as a clearer definition of what had gone before, but as the principal clause, in the sense of "then the metropolitan shall," etc. According to this interpretation, the words conveying the idea that "the bishop must have recourse to the metropolitan" are entirely wanting in the canon. The additional statement, "that the συνεπίσκοπος was the bishop of the Imperial residence," is also entirely wanting, and there is nothing to authorize our regarding this explanation as implied as a matter of course in the beginning of the canon. Besides this, the interpretation of the Greek scholiasts differs too much from the Latin text, while ours agrees with it sufficiently well;[1] and lastly, at the end of this paragraph mention is made of several συνεπισκόποις, and not only of that one to whom Zonaras and Balsamon would have the first word of the canon refer.

The second paragraph of the canon says: "If, however, a bishop has personal friends at the Court, and wishes to urge a proper request through one of them, he shall not be hindered from applying to them in the matter through his deacon, and getting them to promise him their support."

Lastly, the third paragraph, which in Dionysius and the *Prisca* forms the first part of the tenth canon, while Isidore's arrangement here agrees with the Greek, runs thus: "Those bishops who come to Rome in order to present petitions to the Emperor there, must first deliver them to our colleague and beloved brother Bishop Julius, that he may examine whether any among them are improper, and then send them to the Court with his recommendation and support."

The rest of the Latin text, which in Dionysius and the *Prisca* forms half of the tenth canon, but which in Isidore forms the entire tenth canon, is plainly no synodal decree, but only a well-meant suggestion on the subject by Bishop Alypius of Megaris, in Achaia.[2] The meaning of this addition is, that "if the bishops undertake the fatigue of the journey for the sake of widows, orphans, and unfortunates whose cause is good, they have ground for going to the Court; but if, as at the

[1] The old Latin translation of the Greek text so often mentioned is here useless, because it is so corrupt.

[2] See Mansi, t. iii. pp. 39, 42.

present time, they chiefly petition for things provoking jealousy and blame, it is quite unnecessary that they should do so."[1]

Can. 10.[2]

"Οσιος ἐπίσκοπος εἶπε. Καὶ τοῦτο ἀναγκαῖον εἶναι νομίζω, ἵνα μετὰ πάσης ἀκριβείας καὶ ἐπιμελείας ἐξετάζοιτο, ὥστε ἐάν τις πλούσιος ἢ σχολαστικὸς ἀπὸ τῆς ἀγορᾶς ἀξιοῖτο ἐπίσκοπος γίνεσθαι, μὴ πρότερον καθίστασθαι, ἐὰν μὴ καὶ ἀναγνώστου καὶ διακόνου καὶ πρεσβυτέρου ὑπηρεσίαν ἐκτελέσῃ, ἵνα καθ' ἕκαστον βαθμὸν, ἐάνπερ ἄξιος νομισθείη, εἰς τὴν ἀψίδα τῆς ἐπισκοπῆς κατὰ προκοπὴν διαβῆναι δυνηθείη· ἔξει δὲ ἑκάστου τάγματος ὁ βαθμὸς οὐκ ἐλαχίστου δηλονότι χρόνου μῆκος, δι' οὗ ἡ πίστις αὐτοῦ καὶ ἡ τῶν τρόπων καλοκαγαθία καὶ ἡ στερρότης καὶ ἡ ἐπιείκεια γνώριμος γενέσθαι δυνήσεται· καὶ αὐτὸς, ἄξιος τῆς θείας ἱερωσύνης νομισθεὶς, τῆς μεγίστης ἀπολαῦσαι τιμῆς· οὔτε γὰρ προσῆκόν ἐστιν οὔτε ἡ ἐπιστήμη οὔτε ἡ ἀγαθὴ ἀναστροφὴ ἐπιδέχεται, τολμηρῶς καὶ κούφως ἐπὶ τοῦτο ἰέναι, ὥστε ἢ ἐπίσκοπον ἢ πρεσβύτερον ἢ διάκονον προχείρως καθίστασθαι· οὕτω γὰρ ἂν εἰκότως νεόφυτος νομισθείη, ἐπειδὴ μάλιστα καὶ ὁ μακαριώτατος ἀπόστολος, ὃς καὶ τῶν ἐθνῶν γεγένηται διδάσκαλος, φαίνεται κωλύσας ταχείας γίνεσθαι τὰς καταστάσεις· τοῦ γὰρ μηκίστου χρόνου ἡ δοκιμασία τὴν ἀναστροφὴν καὶ τὸν ἑκάστου τρόπον οὐκ ἀπεικότως ἐκτυποῦν δυνήσεται. ἅπαντες εἶπον ἀρέσκειν αὐτοῖς καὶ καθάπαξ μὴ δεῖν ἀνατρέπειν ταῦτα.

"Osius episcopus dixit: Et hoc necessarium arbitror, ut diligentissime tractetis, si forte aut dives aut scholasticus de foro aut ex administratore episcopus fuerit postulatus, ut non prius ordinetur, nisi ante et lectoris munere et officio diaconi aut presbyteri fuerit perfunctus, et ita per singulos gradus, si dignus fuerit, ascendat ad culmen episcopatus. Potest enim per has promotiones, quæ habebant utique prolixum tempus, probari qua fide sit, quave modestia, gravitate et verecundia. Et si dignus fuerit probatus, divino sacerdotio illustretur, quia conveniens non est nec ratio vel disciplina patitur, ut temere et leviter ordinetur aut episcopus aut presbyter aut diaconus, qui

[1] This passage is, of course, also wanting in the Greek scholiasts and in the old Latin translation. And in the *Corpus Jur. Can.* the whole ninth canon is wanting.

[2] In Dionysius, Isidore, and the *Prisca*, canon 13.

neophytus est, maxime cum et magister gentium beatus apostolus, ne hoc fieret, denunciasse et prohibuisse videatur; sed hi, quorum per longum tempus examinata sit vita, et merita fuerint comprobata. Universi dixerunt, placere sibi hæc."

The meaning is: "Should a rich man or a lawyer be proposed as bishop, he shall not be appointed until he has first discharged the office of reader, deacon, and priest, so that if he shows himself worthy, he may ascend by successive steps to the dignity of the episcopate. He shall, however, remain in each grade of the ministry for a considerable time, that his faith, the purity of his morals, his stedfastness and modesty may be known, and thus, after being found worthy of the holy priesthood, he may attain to the highest dignity. For it is not fitting or consistent with reason and good discipline that these offices should be undertaken boldly and with levity, so that a man should be lightly ordained bishop, or priest, or deacon; for in that case he might justly be considered a 'neophyte,'[1] whereas the holy apostle, the doctor of the Gentiles, seems strictly to have forbidden such hasty appointments. A lengthened probation, however, will serve to mould the character and conduct of each one with tolerable certainty."

The Synod of Nicæa in its second canon had made the same rule (see vol. i. p. 377), and these rules were also inserted in the *Corpus Juris Can.*, the Sardican, c. 10, dist. 61, and the Nicene, c. 1, dist. 48. There is no material difference in the Latin and Greek text of this canon. Van Espen has given a systematic exposition of it.[2]

Can. 11.[3]

Ὅσιος ἐπίσκοπος εἶπε· Καὶ τοῦτο δὲ ὁρίσαι ὀφείλομεν, ἵνα ἐπίσκοπος, ὅταν ἐξ ἑτέρας πόλεως παραγένηται εἰς ἑτέραν πόλιν ἢ ἀπὸ ἑτέρας ἐπαρχίας εἰς ἑτέραν ἐπαρχίαν, κόμπου χάριν ἐγκωμίοις οἰκείοις ὑπηρετούμενος ἢ θρησκείας καθοσιώσει, καὶ πλείονα

[1] 1 Tim. iii. 6. St. Paul here understands by neophyte one who shortly before was still a heathen. Such a neophyte, says the canon, does he resemble who is suddenly taken from worldly business to be a bishop.

[2] Van Espen, *l.c.* p. 275 sq.

[3] In Dionysius, Isidore, and the *Prisca*, canon 14.

χρόνον βούλοιτο διάγειν, καὶ μὴ ὁ τῆς πόλεως ἐκείνης ἐπίσκοπος ἔμπειρος ᾖ διδασκαλίας, μὴ καταφρονῇ ἐκείνου καὶ συνεχέστερον ὁμιλῇ, καταισχύνειν καὶ κατευτελίζειν τὸ πρόσωπον τοῦ αὐτόθι ἐπισκόπου σπουδάζων· αὕτη γὰρ ἡ πρόφασις εἴωθε παράχους ποιεῖν· καὶ ἐκ τῆς τοιαύτης πανουργίας τὴν ἀλλοτρίαν καθέδραν ἑαυτῷ προμνηστεύεσθαι καὶ παρασπᾶσθαι σπουδάζῃ, μὴ διστάζων τὴν αὐτῷ παραδοθεῖσαν ἐκκλησίαν καταλιμπάνειν καὶ εἰς ἑτέραν μεθίστασθαι· ὁριστέον τοίνυν ἐπὶ τούτῳ χρόνον, ἐπειδὴ καὶ τὸ μὴ ὑποδέχεσθαι ἐπίσκοπον τῶν ἀπανθρώπων καὶ σκαιῶν εἶναι νενόμισται· μέμνησθε δὲ καὶ ἐν τῷ προάγοντι χρόνῳ τοὺς πατέρας ἡμῶν κεκρικέναι, ἵνα εἴ τις λαϊκὸς ἐν πόλει διάγων τρεῖς κυριακὰς ἡμέρας ἐν τρισὶν ἑβδομάσι μὴ συνέρχοιτο, ἀποκινοῖτο τῆς κοινωνίας· εἰ τοίνυν περὶ τῶν λαϊκῶν τοῦτο τεθέσπισται, οὐ χρὴ οὐδὲ πρέπει ἀλλ' οὐδὲ συμφέρει ἐπίσκοπον, εἰ μηδεμίαν βαρυτέραν ἀνάγκην ἔχοι ἢ πρᾶγμα δυσχερὲς, ἐπὶ πλεῖστον ἀπολείπεσθαι τῆς ἑαυτοῦ ἐκκλησίας καὶ λυπεῖν τὸν ἐμπεπιστευμένον αὐτῷ λαόν. ἅπαντες οἱ ἐπίσκοποι εἰρήκασι· Καὶ ταύτην τὴν γνώμην σφόδρα εἶναι πρεπωδεστάτην ὁριζόμεθα.

" Osius episcopus dixit: Et hoc quoque statuere debetis, ut episcopus, si ex alia civitate convenerit ad aliam civitatem vel ex provincia sua ad aliam provinciam, et ambitioni magis quam devotioni serviens voluerit in aliena civitate multo tempore residere: forte enim evenit episcopum loci non esse tam instructum neque tam doctum; is vero, qui advenit, incipiat contemnere eum et frequenter facere sermonem, ut dehonestet et infirmet illius personam, ita ut ex hac occasione non dubitet relinquere assignatam sibi ecclesiam et transeat ad alienam. Definite ergo tempus, quia et non recipi episcopum inhumanum est, et si diutius resideat perniciosum est. Hoc ne fiat, providendum est. Memini autem superiore concilio fratres nostros constituisse, ut si quis laicus in ea in qua commoratur civitate tres dominicos dies, id est per tres septimanas, non celebrasset conventum, communione privaretur. Si ergo hæc circa laicos constituta sunt, multo magis episcopum nec licet nec decet, si nulla sit tam gravis necessitas quæ detineat, ut amplius a supra scripto tempore absens sit ab ecclesia sua. Universi dixerunt placere sibi."

This canon directs: " If a bishop goes from one town or

from one province to another, from a feeling of pride, more to serve his own ambition than the cause of godliness, and wishes to remain there a considerable time, although the bishop of that town may not be a learned man, yet the former shall not hold him in contempt, nor by preaching often put him to shame and cause him to be despised; for such conduct only gives rise to quarrels, and suggests a suspicion[1] that he is seeking by such artful means to obtain the foreign See for himself, without scruple about leaving the church committed to him, and going over to another.[2] There must therefore be a limit of time fixed for this sojourn in a foreign town; for not to receive a bishop at all would be cruel and unfriendly. Remember that our fathers have already directed that a layman, who is staying in a town, and does not appear at divine service for three Sundays, shall be excommunicated; and if this is ordered with regard to the laity, no bishop can be allowed to absent himself for a longer time from his church, or leave the people entrusted to him, except from necessity, or for some urgent business."

With regard to the bishops, the fourteenth (*alias* thirteenth) apostolic canon contains a similar order, as does the fifteenth (*alias* fourteenth) with regard to priests and deacons; but what was said above concerning the laity was decreed at Elvira,[3] and renewed and extended to deacons, priests, and bishops at the Quinisext. Concerning this duty of a bishop being present at divine service in his own parish, as declared in this canon, Van Espen may be consulted.[4]

Can. 12.[5]

Ὅσιος ἐπίσκοπος εἶπεν· Ἐπειδὴ οὐδέν ἐστι παραλειπτέον, καὶ τοῦτο ὁρισθήτω· τινὲς τῶν ἀδελφῶν καὶ συνεπισκόπων ἐν

[1] Thus do Balsamon, Zonaras, and Aristenus interpret it in Bevereg. *l.c.* t. i. p. 488 sq.

[2] Concerning such doings of the *episcopi invasores*, cf. Kellner, *Das Buss und Strafverfahren gegen Kleriker*, Trèves 1863, p. 30; Kober, *Deposition*, etc., 1867, p. 122 sq.

[3] Elvira, canon 16.

[4] Van Espen, *l.c.* p. 276, also his *Jus. Eccl.* t. i. P. i. tit. 3, c. 10 et 11.

[5] In Dionysius, Isidore, and the *Prisca*, canon 15.

ταῖς πόλεσιν, ἐν αἷς ἐπίσκοποι καθίστανται, δοκοῦσι κεκτῆσθαι σφόδρα ὀλίγα ὑπάρχοντα ἴδια, ἐν ἑτέροις δὲ τόποις κτήσεις μεγάλας, ἐξ ὧν καὶ ἐπικουρεῖν δυνατοί εἰσι τοῖς πένησιν· οὕτως οὖν αὐτοῖς συγχωρητέον εἶναι κρίνω, ἵνα εἰ μέλλοιεν εἰς τὰς ἑαυτῶν παραγίνεσθαι κτήσεις καὶ τὴν συγκομιδὴν τῶν καρπῶν ποιεῖσθαι, τρεῖς κυριακὰς ἡμέρας, τοῦτ' ἔστι τρεῖς ἑβδομάδας, ἐν τοῖς ἑαυτῶν κτήμασιν αὐτοὺς διάγειν, καὶ ἐν τῇ, ἀγχιστευούσῃ ἐκκλησίᾳ, ἐν ᾗ πρεσβύτερος συνάγοι, ὑπὲρ τοῦ μὴ χωρὶς συνελεύσεως αὐτὸν δοκεῖν εἶναι, συνέρχεσθαι καὶ λειτουργεῖν, καὶ μὴ συνεχέστερον εἰς τὴν πόλιν ἐν ᾗ ἐστιν ἐπίσκοπος παραγίγνοιτο· τοῦτον γὰρ τὸν τρόπον καὶ τὰ οἰκεῖα αὐτοῦ πράγματα παρὰ τὴν αὐτοῦ ἀπουσίαν οὐδεμίαν ὑπομενεῖ ζημίαν, καὶ τὸ τῆς ἀλαζονείας καὶ τοῦ τύφου ἐκκλίνειν δόξει ἔγκλημα. ἅπαντες οἱ ἐπίσκοποι εἶπον· Ἀρέσκει καὶ αὕτη ἡ διατύπωσις.

"Osius episcopus dixit: Quia nihil prætermitti oportet, sunt quidam fratres et coëpiscopi nostri, qui non in ea civitate resident, in qua videntur episcopi esse constituti, vel quod parvam rem illic habeant, alibi autem idonea prædia habere cognoscuntur, vel certe affectione proximorum, quibus indulgeant; hactenus permitti eis oportet, ut accedant ad possessiones suas et disponant vel ordinent fructum laboris sui, ut post tres dominicas, id est post tres hebdomadas, si morari necesse est, in suis potius fundis morentur: aut si est proxima civitas, in qua est presbyter, ne sine ecclesia videatur facere diem dominicum, illuc accedat, ut neque res domesticæ per absentiam ejus detrimentum sustineant, et non frequenter veniendo ad civitatem, in qua episcopus moratur, suspicionem jactantiæ et ambitionis evadat. Universi dixerunt placere sibi."

On the proposal of Hosius, the Synod decided upon a milder addition to the preceding canon, to this effect:—"Some bishops possess only a very little property in the towns to which they are appointed, but a good deal in others,[1]

[1] According to the Latin text of Dionysius, it is:—"Some bishops do not reside in their cathedral town, either because they have more possessions in other places, or from affection to their relatives: . . . but from henceforth they shall only be absent for the space of three weeks." Isidore and the *Prisca*, however, are nearer the Greek text, as instead of *resident* (as says Dionysius) they more rightly read *possident*.

so that they are able from it to support the poor. Therefore they shall be allowed, for the purpose of collecting their rents, to spend three Sundays, that is, the space of three weeks, upon those estates, in which case they shall appear at divine service in the neighbouring church, where there is a presbyter, and shall themselves officiate, that they may not omit to take part in the service; but in a town where the bishop of the diocese resides, they shall not often appear. In this way their affairs will suffer no harm, as they can themselves be present, while at the same time avoiding all suspicion of pride and vain-glory," *i.e.* because not officiating in the cathedral of the other bishop. Compare the foregoing canon.

Can. 13.[1]

Οσιος ἐπίσκοπος εἶπε· Καὶ τοῦτο πᾶσιν ἀρεσάτω ἵνα εἴ τις διάκονος ἢ πρεσβύτερος ἢ καὶ τις τῶν κληρικῶν ἀκοινώνητος γένηται καὶ πρὸς ἕτερον ἐπίσκοπον τὸν εἰδότα αὐτὸν καταφύγοι, γινωσκόντα ἀποκεκινῆσθαι αὐτὸν τῆς κοινωνίας παρὰ τοῦ ἰδίου ἐπισκόπου, μὴ χρῆναι τῷ ἐπισκόπῳ καὶ ἀδελφῷ αὐτοῦ ὕβριν ποιοῦντα παρέχειν αὐτῷ κοινωνίαν· εἰ δὲ τολμήσοι τις τοῦτο ποιῆσαι γινωσκετω συνελθόντων ἐπισκόπων ἀπολογίᾳ ἑαυτὸν ὑπεύθυνον καθιστάναι· ἅπαντες οἱ ἐπισκόποι εἶπον· αὕτη ἡ κρίσις καὶ τὴν εἰρηνην πάντοτε διαφυλάξει καὶ διατηρήσει τὴν πάντων ὁμόνοιαν.

"Osius episcopus dixit: Hoc quoque omnibus placeat, ut sive diaconus sive presbyter sive quis clericorum ab episcopo suo communione fuerit privatus, et ad alterum perrexerit episcopum, et scierit ille ad quem confugit, eum ab episcopo suo fuisse abjectum, non oportet ut ei communionem indulgeat. Quod si fecerit, sciat se convocatis episcopis causas esse dicturum. Universi dixerunt: Hoc statutum et pacem servabit, et concordiam custodiet."

What is here ordered is in reality only a repetition of the sixth Antiochian canon; and its principal points had already been included in the fifth canon of Nicæa. The meaning is, that "a deacon, priest, or other cleric excommunicated by his own bishop may not be received into communion by any

[1] In Dionysius, Isidore, and the *Prisca*, canon 16.

other bishop; and any bishop who receives him, knowing of the circumstances, must answer for it to the synod."

Can. 14.[1]

Ὅσιος ἐπίσκοπος εἶπε· Τὸ δὲ πάντοτέ με κινοῦν ἀποσιωπῆσαι οὐκ ὀφείλω. εἴ τις ἐπίσκοπος ὀξύχολος εὑρίσκοιτο, ὅπερ οὐκ ὀφείλει ἐν τοιούτῳ ἀνδρὶ πολιτεύεσθαι, καὶ ταχέως ἀντικρὺ πρεσβυτέρου ἢ διακόνου κινηθεὶς ἐκβαλεῖν ἐκκλησίας αὐτὸν ἐθελήσοι, προνοητέον ἐστὶ μὴ ἀθρόον τὸν τοιοῦτον κατακρίνεσθαι καὶ τῆς κοινωνίας ἀποστερεῖσθαι. πάντες εἰρήκασιν· Ὁ ἐκβαλλόμενος ἐχέτω ἐξουσίαν ἐπὶ τὸν ἐπίσκοπον τῆς μητροπόλεως τῆς αὐτῆς ἐπαρχίας καταφυγεῖν· εἰ δὲ ὁ τῆς μητροπόλεως ἄπεστιν, ἐπὶ τὸν πλησιόχωρον κατατρέχειν καὶ ἀξιοῦν, ἵνα μετὰ ἀκριβείας αὐτοῦ ἐξετάζηται τὸ πρᾶγμα· οὐ χρὴ γὰρ μὴ ὑπέχειν τὰς ἀκοὰς τοῖς ἀξιοῦσι· κἀκεῖνος δὲ ὁ ἐπίσκοπος, ὁ δικαίως ἢ ἀδίκως ἐκβαλὼν τὸν τοιοῦτον, γενναίως φέρειν ὀφείλει, ἵνα ἡ ἐξέτασις τοῦ πράγματος γένηται, καὶ ἡ κυρωθῇ αὐτοῦ ἡ ἀπόφασις ἢ διορθώσεως τύχῃ· πρὶν δὲ ἐπιμελῶς καὶ μετὰ πίστεως ἕκαστα ἐξετασθῇ, ὁ μὴ ἔχων τὴν κοινωνίαν πρὸ τῆς διαγνώσεως τοῦ πράγματος ἑαυτῷ οὐκ ὀφείλει ἐκδικεῖν τὴν κοινωνίαν· ἐὰν δὲ συνελθόντες τῶν κληρικῶν τινες κατίδωσι τὴν ὑπεροψίαν καὶ τὴν ἀλαζονείαν αὐτοῦ, ἐπειδὴ οὐ προσῆκόν ἐστιν ὕβριν ἢ μέμψιν ἄδικον ὑπομένειν, πικροτέροις καὶ βαρυτέροις ῥήμασιν ἐπιστρέφειν τὸν τοιοῦτον ὀφείλουσιν, ἵνα τῷ τὰ πρέποντα κελεύοντι ὑπηρετῶνται καὶ ὑπακούωσιν· ὥσπερ γὰρ ὁ ἐπίσκοπος τοῖς ὑπηρέταις εἰλικρινῆ ὀφείλει τὴν ἀγάπην καὶ τὴν διάθεσιν παρέχειν, τὸν αὐτὸν τρόπον καὶ οἱ ὑποτεταγμένοι ἄδολα τοῖς ἐπισκόποις τὰ τῆς ὑπηρεσίας ἐκτελεῖν ὀφείλουσιν.

"Osius episcopus dixit: Quod me adhuc movet, reticere non debeo. Si episcopus quis forte iracundus (quod esse non debet) cito et aspere commoveatur adversus presbyterum sive diaconum suum et exterminare eum de ecclesia voluerit, providendum est, ne innocens damnetur aut perdat communionem. Et ideo habeat potestatem is, qui abjectus est, ut episcopos finitimos interpellet et causa ejus audiatur ac diligentius tractetur, quia non oportet ei negari audientiam roganti. Et ille episcopus, qui aut juste aut injuste eum

[1] In Dionysius, Isidore, and the *Prisca*, canon 17.

abjecit, patienter accipiat, ut negotium discutiatur, ut vel probetur sententia ejus a plurimis vel emendetur. Tamen priusquam omnia diligenter et fideliter examinentur, eum, qui fuerit a communione separatus, ante cognitionem nullus alius debet præsumere, ut communioni societ. Hi vero qui conveniunt ad audiendum, si viderint clericorum esse fastidium et superbiam, quia jam non decet ut episcopus injuriam vel contumeliam patiatur, severioribus eos verbis castigent, ut obediant honesta præcipienti episcopo; quia sicut ille clericis sincerum debet exhibere amorem caritatis, ita quoque vicissim ministri infucata debent episcopo suo exhibere obsequia."

Hosius proposed, that "if a bishop is of a passionate temperament, which ought not to be the case, and being very angry with a priest or deacon wants to cast him out of the Church, care shall be taken that such an one be not too hastily [1] condemned, and deprived of communion." All said: "He who has been excommunicated shall be allowed to have recourse to the metropolitan,[2] or in his absence shall go to the nearest bishop,[3] and pray that his cause may be thoroughly investigated; for the petitioner may not be refused a hearing.[4] And the bishop who, rightly or wrongly, has decreed the excommunication, shall not take it amiss that the affair should be investigated, and his sentence confirmed or amended. But until all has been thoroughly and faithfully investigated, and the consequent decision given, the excommunicated shall not demand communion. If, however, any cleries [5] assembled for judgment observe in him haughtiness and pride, they shall reprimand him sharply and severely, so that the reasonable commands of a bishop may be obeyed, as he is not bound to

[1] Instead of *ἀθέσον*, perhaps *ἀθῶον*, "innocent," should be read, for the Latin text has *innocens*, and so also has the old Latin translation.

[2] Here the Latin text, instead of *metropolitan*, has *episcopos finitimos*, because at that time the metropolitan constitution was not so developed and so universal in the East as in the West. Cf. Ballerini, ed. *Opp. S. Leonis*, t. iii. p. xxxii.

[3] Zonaras understands by this the nearest metropolitan, and remarks that this never came into practice. Bevereg. t. i. p. 503.

[4] On this, cf. Kober, *Kirchenbann*, 1863, pp. 88, 222.

[5] Zonaras (*l.c.*) takes this to mean: "If any clerics of the diocese to which the complainant belongs know him to be arrogant, they shall reprimand him *per correptionem fraternam*.

tolerate arrogance and unjust blame. For as the bishop should show a sincere love and affection to his subordinates, so also must they fulfil the duties of their ministry towards him with uprightness."

Similar rules had been already laid down in the fifth canon of Nicæa, and in the twentieth canon of the Antiochian Synod of 341.[1]

In all three Latin texts of the Sardican canons, canon 18 now follows, which number harmonizes with the Latin chronological order.

Can. 18 (*the Latin*).

"Januarius episcopus dixit: Illud quoque statuat sanctitas vestra, ut nulli episcopo liceat alterius episcopi civitatis ministrum ecclesiasticum sollicitare et in suis parochiis ordinare. Universi dixerunt: Placet, quia ex his contentionibus solet nasci discordia, et ideo prohibet omnium sententia, ne quis hoc facere audeat."

Januarius, who was, as appears from the Synodical signatures, bishop of Beneventum in Campania,[2] proposed this rule, the meaning of which is, that "no bishop is allowed to decoy away a minister of the church belonging to another bishop, and ordain him for his own diocese." Our Greek text has not this canon; but it seems formerly to have had a place in the Greek copies, as we gather from the old translation, in which it is found.[3]

The Council of Nicæa, moreover, had ordered the like in its sixteenth canon; and the contents of the next canon, which the Greek and Latin texts have in common, are the same. Therefore, in the *Corpus Juris Can.*,[4] these two canons, the eighteenth and nineteenth of the Latin text, are put into one.

[1] See vol. i. pp. 386 sq. and *supr.* p. 72; but this canon is in *Corpus Juris Can.* c. 4, causa xi. quæst. 3.

[2] See p. 97.

[3] Mansi, vi. p. 1207. Cf. also Ballerin. edit. *Opp. S. Leonis*, t. iii. p. xxxi. n. iii.

[4] C. 1, dist. 61.

Can. 15.[1]

"Οσιος ἐπίσκοπος εἶπε· Καὶ τοῦτο δὲ πάντες ὁρίσωμεν, ἵνα εἴ τις ἐπίσκοπος ἐξ ἑτέρας παροικίας βουληθῇ ἀλλότριον ὑπηρέτην χωρὶς τῆς συγκαταθέσεως τοῦ ἰδίου ἐπισκόπου εἴς τινα βαθμὸν καταστῆσαι, ἄκυρος καὶ ἀβέβαιος ἡ κατάστασις ἡ τοιαύτη νομίζοιτο· εἴ τινες δ' ἂν τοῦτο ἑαυτοὶς ἐπιτρέψειαν, παρὰ τῶν ἀδελφῶν καὶ συνεπισκόπων ἡμῶν καὶ ὑπομιμνήσκεσθαι καὶ διορθοῦσθαι ὀφείλουσιν. ἅπαντες εἰρήκασι· Καὶ οὗτος ὅρος στήτω ἀσάλευτος.

"Osius episcopus dixit: Et hoc universi constituimus, ut, quicumque ex alia parochia voluerit alienum ministrum sine consensu episcopi ipsius et sine voluntate ordinare, non sit rata ordinatio ejus. Quicumque autem hoc usurpaverit, a fratribus et coëpiscopis nostris et admoneri debet et corrigi."

On the proposal of Hosius it is here ordered: that, "if the bishop of another diocese ordains a minister of the Church without the consent of his own bishop, such an ordination shall be invalid;[2] and if some have presumed to do this, they shall be admonished and reprimanded by our colleagues and brother bishops."

Fuchs, in his *Bibliothek der Kirchenversammlungen*,[3] thinks he has discovered a difference between this canon and the exclusively Latin one preceding it, in that the latter supposes the case of a bishop ordaining a foreign cleric, over whom he has no jurisdiction, to a higher grade, with the view of retaining him for his own diocese; while the other—fifteenth or nineteenth canon—treats of a case where such an ordination takes place without the ordaining bishop intending to keep the person ordained for his own diocese. Van Espen is of another opinion, and maintains that both canons obviously refer to one and the same case, for which reason the Greek text has only inserted one of them.[4] It is certain that the

[1] In Dionysius, Isidore, and the *Prisca*, canon 19.

[2] Kober, *Suspension*, etc., 1862, p. 46 sqq. and p. 143 sq. and p. 292, here understands not the absolute invalidity of such an ordination, but only a suspension.

[3] Part ii. p. 123, note 125.

[4] Van Espen, *Commentarius in Canones et Decreta*, etc., p. 278, ed. Colon. 1755, fol.

text of both canons, as we have it, does not clearly indicate the difference conjectured by Fuchs, but that it may easily be found there.

Van Espen further adds, that in both canons only the higher ordination of one already ordained (a minister of the Church) is meant; but that conferring ordination upon a layman from another diocese is not there expressly forbidden. Nevertheless, Bishop Gratus of Carthage, at the Carthaginian Council in 348 (canon 5), applied the contents of the canon to the laity also;[1] and this interpretation was universally received, as appears from the fifty-fourth African canon.

Can. 16.[2]

Ἀέτιος ἐπίσκοπος εἶπεν· Οὐκ ἀγνοεῖτε ὁποία καὶ πηλίκη τυγχάνει ἡ τῶν Θεσσαλονικέων μητρόπολις· πολλάκις τοιγαροῦν εἰς αὐτὴν ἀπὸ ἑτέρων ἐπαρχιῶν πρεσβύτεροι καὶ διάκονοι παραγίνονται, καὶ οὐκ ἀρκούμενοι βραχέος διαγωγῇ χρόνου ἐναπομένουσι καὶ ἅπαντα τὸν χρόνον αὐτόθι ποιοῦντες διατελοῦσιν, ἢ μόλις μετὰ πλεῖστον χρόνον εἰς τὰς ἑαυτῶν ἐπανιέναι ἐκκλησίας ἀναγκάζονται· περὶ τούτων οὖν ὁριστέον. Ὅσιος ἐπίσκοπος εἶπεν· Οὗτοι οἱ ὅροι, οἱ καὶ ἐπὶ τῶν ἐπισκόπων ὡρισμένοι, φυλαττέσθωσαν καὶ ἐπὶ τούτων τῶν προσώπων.

"Aetius episcopus dixit: Non ignoratis, quanta et qualis sit Thessalonicensium civitas; saepe ad eam veniunt ex aliis regionibus presbyteri et diaconi et non sunt contenti brevi tempore morari, sed aut resident ibi aut certe vix post longa spatia ad sua redire coguntur. Universi dixerunt: Ea tempora, quæ constituta sunt circa episcopos, et circa has personas observari debent."

Aetius, bishop of Thessalonica, represented to the Synod, that in consequence of the size of his city many priests and deacons from elsewhere very often stayed there for a long time. The Synod therefore decided, on the motion of Hosius, that what was ordered above in canon 11 with regard to the bishops, namely, that they may spend three weeks in a place away from home, should also apply to the persons in question.

[1] Harduin, *Collect. Concil.* t. i. p. 686; Mansi, t. iii. p. 147.

[2] In Dionysius, Isidore, and the *Prisca*, canon 20.

Can. 17.[1]

Ὑπερβάλλοντος καὶ τοῦ ἀδελφοῦ ἡμῶν Ὀλυμπίου καὶ τοῦτο ἤρεσεν, ἵνα εἴ τις ἐπίσκοπος βίαν ὑπομείνας ἀδίκως ἐκβληθῇ ἢ διὰ τὴν ἐπιστήμην ἢ διὰ τὴν ὁμολογίαν τῆς καθολικῆς ἐκκλησίας ἢ διὰ τὴν τῆς ἀληθειας ἐκδικίαν, καὶ φεύγων τὸν κίνδυνον, ἀθῶος καὶ καθωσιωμένος ὢν, εἰς ἑτέραν ἔλθοι πόλιν, μὴ κωλυέσθω ἐκεῖ ἐπὶ τοσοῦτον διάγειν, ἕως ἂν ἐπανέλθῃ ἢ τῆς ὕβρεως τῆς γεγεννημένης αὐτῷ ἀπαλλαγὴν εὑρέσθαι δυνηθῇ· σκληρὸν γὰρ καὶ βαρύτατον, ἐλασίαν ἄδικον ὑπομεμενηκότα μὴ ὑποδέχεσθαι ὑφ' ἡμῶν· πλείστῃ γὰρ καλοκαγαθίᾳ καὶ φιλοφρονήσει ὀφείλει παραδέχεσθαι ὁ τοιοῦτος. πάντες εἰρήκασιν· Ἤρεσε καὶ τοῦτο.

"Osius episcopus dixit: Suggerente fratre et coëpiscopo nostro Olympio etiam hoc placuit, ut si aliquis vim perpessus est et inique expulsus pro disciplina et Catholica confessione vel pro defensione veritatis, effugiens pericula, innocens et devotus ad aliam venerit civitatem, non prohibeatur immorari, quamdiu aut redire possit aut injuria ejus remedium acceperit; quia durum est eum qui persecutionem patitur non recipi; etiam et larga benevolentia et humanitas ei est exhibenda. Omni synodus dixit: Universa, quæ constituta sunt, Catholica Ecclesia in universo orbe diffusa custodiet.

"Et subscripserunt, qui convenerant episcopi omnes diversarum provinciarum sic: Ego N. episcopus civitatis N. et provinciæ N. ita credo sicut supra scriptum est."

As Olympius, bishop of Aenus in Thrace, further suggested, it was decreed that "if a bishop is banished unjustly, on account of his learning, or his belief in the Catholic faith, or for defending the truth, and being an innocent victim goes into another town to escape danger, he shall not be hindered from remaining there until he can return, or be freed from the ill-treatment to which he has been subjected."

Can. 18 (*wanting in the Latin*).

Γαυδέντιος ἐπίσκοπος εἶπεν· Οἶδας, ἀδελφὲ Ἀέτιε, ὡς τὸ τηνικαῦτά ποτε κατασταθέντος σου ἐπισκόπου ἡ εἰρήνη λοιπὸν

[1] In Dionysius, Isidore, and the *Prisca*, canon 21.

ἐβράβευσεν· ἵνα μή τινα λείψανα διχονοίας περὶ τῶν ἐκκλησιαστικῶν ἐναπομείνῃ, ἔδοξε καὶ τοὺς παρὰ Μουσαίου καταστα-θέντας καὶ τοὺς παρὰ Εὐτυχιανοῦ, ἐπειδὴ αὐτῶν οὐδεμία αἰτία εὑρίσκοιτο, πάντας ὑποδεχθῆναι.

Gaudentius, bishop of Naissus in Dacia, is already known to us by the fourth canon, of which he was also the proposer. The present one runs: "Bishop Gaudentius said: Thou knowest, my brother Aetius (bishop of Thessalonica[1]), that ever since thine appointment as bishop, peace has reigned. Now, therefore, in order that no more divisions may exist among the clergy, let it be decreed that both those appointed by Musæus and Eutychian shall be received, as no blame rests on them."

Concerning the meaning of this canon, cf. the following one, which is closely connected with it.

Can. 19 (*wanting in the Latin*).

Ὅσιος ἐπίσκοπος εἶπε· Τῆς ἐμῆς μετριότητος ἡ ἀπόφασίς ἐστιν αὕτη· ἐπειδὴ ἥσυχοι καὶ ὑπομονητικοὶ ὀφείλομεν εἶναι, καὶ διαρκῆ τὸν πρὸς πάντας ἔχειν οἶκτον, ἅπαξ τοὺς εἰς κλῆρον ἐκκλησιαστικὸν προαχθέντας ὑπό τινων ἀδελφῶν ἡμῶν, ἐὰν μὴ βούλοιντο ἐπανέρχεσθαι εἰς ἃς κατωνομάσθησαν ἐκκλησίας, τοῦ λοιποῦ μὴ ὑποδέχεσθαι, Εὐτυχιανὸν δὲ μήτε ἐπισκόπου ἑαυτῷ διεκδικεῖν ὄνομα, ἀλλ' οὐδὲ Μουσαῖον ὡς ἐπίσκοπον νομίζεσθαι· εἰ δὲ λαϊκὴν κοινωνίαν ἀπαιτοῖεν, μὴ χρῆναι αὐτοῖς ἀρνεῖσθαι. πάντες εἶπον· Ἀρέσκει.

Bishop Hosius said: "It is my humble opinion, since we must be gentle and patient, and show compassion to all, that those who have at any time been raised by any of our brothers to a higher order in the ministry, if they will not return to the churches to which they were appointed, should for the future not be received; and that Eutychian should not assume the episcopal title, nor Musæus be considered a bishop, but that if they desire the *communio laicalis* (the spiritual rights of the laity, or *status ecclesiasticus communis*), it should not be refused them." All said: "So let it be."[2]

It appears from these canons that, before the appointment of Aetius as bishop of Thessalonica, disturbances and divisions

[1] Cf. Canon 16.

[2] Cf. Kober, *Deposition*, p. 500 sqq., p. 60.

in the Church had taken place there. At this time Eutychian and Musæus came forward to claim the episcopal chair, and both ordained other ministers. Neither of these two, however, but Aetius, obtained the See of Thessalonica, and peace was again restored. As is shown by the eighteenth canon, Aetius excluded these two pretenders and the clerics appointed by them from communion. A milder treatment was now proposed by Gaudentius, namely, that as no further blame attached to those ordained by Musæus and Eutychian, they should be again received. What he understood by this receiving again (*ὑποδεχθῆναι*) is doubtful, as we have no other account of the whole affair at Thessalonica.[1] In the first place, we do not know whether Musæus and Eutychian were themselves really consecrated bishops or not; if they were consecrated, the proposal of Gaudentius may mean that those ordained by them should be restored to their spiritual offices.[2] If, however, Musæus and Eutychian had not received episcopal consecration,—and the old Greek scholiasts suppose this to have been the case,[3]—it could only be proposed that those (*nec licite nec valide*) ordained by them should be received again as laymen into the communion of the Church. At the best, the wish might be entertained that they should eventually receive valid ordination. Whether the Synod approved of the proposal of Gaudentius is also not clear; we can only conclude that such approbation was probable from the close connection of the eighteenth canon with the nineteenth, and from the Synod giving its *placet* to the latter. It may be asked, however, what is the relation of the nineteenth to the eighteenth canon. The last half of the nineteenth canon is plainly in connection with the eighteenth, inasmuch as Hosius here supplements the proposal of Gaudentius with another, that

[1] In the Synodal Letter of the Eusebians from Philippopolis (quoted in Hilar. *Fragm.* iii. p. 1317, n. 20), mention is made of a quarrel between Protogenes of Sardica, and a bishop of Thessalonica. The name of the latter is not clearly given, but it should probably be read "Aetio." Besides, the text is so corrupt that it is uncertain which of the two attacked the other. On this passage, cf. the notes of the Benedictine editors on this passage in Hilary.

[2] This explanation was adopted by Dr. Herbst in the *Tübinger Theol. Quartalschr.* 1825, p. 34; also by Hergenröther, *Photius*, vol. ii. p. 338.

[3] Bevereg. t. i. p. 505; t. ii. *Annot.* p. 201.

Eutychian and Musæus themselves should only be admitted to lay communion. From this we gather that Hosius approved of the proposal of Gaudentius, and only desired that the heads of the schismatical parties should be excluded from among the clergy, as was decided at Nicæa with regard to the Meletians. But the remaining clerics of those parties—of course after having previously submitted to their lawful bishop—were to retain their offices, only on condition of betaking themselves to those churches for which they were first ordained. I am therefore of opinion that the first half of the nineteenth canon also refers to the subject mentioned in the eighteenth canon; while Tillemont,[1] and after him Remi Ceillier,[2] are of opinion that Hosius, in the first part of the nineteenth canon, had made an addition to the sixteenth, and not the eighteenth canon.

From all this it is clear that the reason why these two canons do not exist in the Latin text is, that they did not apply to the Latin Church, and only contained a special rule for Thessalonica.[3]

Can. 20.[4]

Γαυδέντιος ἐπίσκοπος εἶπε· Ταῦτα σωτηριωδῶς καὶ ἀκολούθως ὁρισθέντα καὶ πρεπόντως τῇ ἐπιτιμίᾳ ἡμῶν τῶν ἱερέων καὶ Θεῷ ἀρέσαντα καὶ ἀνθρώποις, τὴν δύναμιν καὶ τὴν ἰσχὺν ἑαυτῶν κατασχεῖν οὐ δυνήσονται, ἐὰν μὴ καὶ φόβος ταῖς ἐξενεχθείσαις ἀποφάσεσιν ἀκολουθήσῃ· ἴσμεν γὰρ καὶ αὐτοὶ, πλεονάκις διὰ τὴν ὀλίγων ἀναισχυντίαν τὸ θεῖον καὶ σεβασμιώτατον ὄνομα τῆς ἱερωσύνης εἰς κατάγνωσιν ἐληλυθέναι· εἰ τοίνυν τις παρὰ τὰ πᾶσι δόξαντα τολμήσοι, σπουδάζων τύφῳ μᾶλλον καὶ ἀλαζονείᾳ ἢ τῷ Θεῷ ἀρέσαι, ἕτερόν τι διαπράξασθαι, ἤδη γιγνωσκέτω ἐγκλήματι ἀπολογίας ἑαυτὸν ὑπεύθυνον καθιστᾶν, καὶ τὴν τιμὴν καὶ τὸ ἀξίωμα τῆς ἐπισκοπῆς ἀποβάλλειν. ἅπαντες ἀπεκρίναντο· Πρέπει καὶ ἀρέσκει ἡμῖν ἡ τοιαύτη γνώμη.

Καὶ τοῦτο δὲ ἐκεῖθεν μάλιστα γνώριμον γενήσεται καὶ πληρω-

[1] Tillemont, *Mémoires*, etc., t. viii. p. 49 in the treatise of S. Athanas. art. 52.

[2] *Histoire Générale*, etc., t. iv. p. 691.

[3] Cf. *Tubing. Theol. Quartalschr.* 1825, p. 34.

[4] In Dionysius, Isidore, and the *Prisca*, canon 11.

θήσεται, ἐὰν ἕκαστος ἡμῶν τῶν ἐν ταῖς παρόδοις ἤτοι καναλιῳ καθεστώτων ἐπισκόπων, θεασάμενος ἐπίσκοπον, ἐπιζητοίη τὴν αἰτίαν τῆς παρόδου καὶ ποῦ τὴν πορείαν ποιεῖται· καὶ ἐὰν μὲν εὕρῃ αὐτὸν ἐπὶ τὸ στρατὸπεδον ἀπιόντα, ἐπιζητήσει τὰς αἱρέσεις τὰς ἐπάνω προκειμένας· κἂν κεκλημένος ἀφικνῆται, ἀπιόντι αὐτῷ μηδὲν ἐμπόδιον γίγνοιτο· εἰ δὲ ἐπιδείξεως χάριν, καθὼς προείρηται τῇ ὑμετέρᾳ ἀγάπῃ, ἢ διά τινων ἀξιώσεις σπουδάζοι ἐπὶ τὸ στρατόπεδον, μήτε τοῖς γράμμασιν αὐτοῦ ὑπογράφειν μήτε κοινωνεῖν τῷ τοιούτῳ. ἅπαντες εἶπον· Ὁριζέσθω καὶ τοῦτο.

"Gaudentius episcopus dixit: Ea quæ salubriter providistis convenientia et æstimationi omnium et Deo placitura et hominibus, tenere hactenus firmitatem possunt, si metus huic sententiæ conjungatur. Scimus enim et ipsi sæpissime propter paucorum impudentiam religiosum sacerdotale nomen fuisse reprehensum. Si igitur aliquis contra omnium sententiam nisus voluerit ambitioni magis placere quam Deo, is debet scire, causis redditis honorem dignitatemque se amissurum: quod ita demum compleri poterit, si unusquisque nostrum, qui in canali constitutus est, cum progredientem episcopum viderit, inquirat transitum ejus, causas videat, quo tendat agnoscat, et si quidem eum invenerit ire ad comitatum, requirat et illud, quod superius comprehensum est, ne forte invitatus sit, ut ei facultas eundi permittatur. Si vero, ut superius memoravit sanctitas vestra, propter desideria et ambitiones ad comitatum pergat, neque in literis ejus subscribatur, neque in communionem recipiatur. Si vobis placet, omnium sententia confirmari debet. Universi dixerunt, honestum esse et placere sibi hanc constitutionem."

On the motion of Bishop Gaudentius, it was decreed: "From henceforth, if a bishop presumes to act contrary to what has been universally decided, out of pride and ambition rather than the desire of pleasing God, he shall be called to account, and deprived of his episcopal dignity.[1] And this rule will be best made known, and most surely carried out,[2] if each one of us bishops, who live near a high road,[3] upon

[1] In Bevereg. t. i. p. 507, canon 20 ends here, and No. 21 begins.

[2] The Greek scholiasts explain these words a little differently, but the meaning is not substantially altered.

[3] Concerning καναλιος = *via publica*, cf. Suicer, *Thesaur. in loc.*

seeing a bishop pass by, inquires the object of his journey, and whither he is going. And if he finds that the bishop is on his way to the Imperial Court, he shall make inquiry concerning the circumstances mentioned above in the seventh canon. If he is travelling thither at the summons of the Emperor, no hindrance shall be put in his way; but if from vanity, as you were pleased to say before, or on account of certain petitions, his letters shall not be undersigned, nor shall any one hold communion with him."

As we before remarked, the Latin text gives this canon quite another place, namely, immediately after the rules for restraining the passion of bishops for travelling to the Imperial Court (canons 7–9). From its meaning, it plainly belongs to that set of rules.

Finally, this canon is followed in the Latin text by another short canon, No. 12, which is wanting in the Greek, and which runs thus:—

CAN. 12 (*of the Latin text*).

"Osius episcopus dixit: Sed et moderatio necessaria est, dilectissimi fratres, ne adhuc aliqui nescientes, quid decretum sit in synodo, subito veniant ad civitates eas, quæ in canali sunt. Debet ergo episcopus civitatis ipsius admonere eum et instruere, et ex eo loco diaconum suum mittat; admonitus ipse tamen redeat in parœciam suam."

According to Van Espen's just remark,[1] the Greek text probably omitted this passage because it only contained a proposal of Hosius, without the direct approbation of the Synod. Moreover, the rule therein contained was only temporary, and simply to serve for the interval, until the decisions of Sardica became more generally known.

SEC. 65. *Rule concerning the Celebration of Easter.*

We have information concerning the further doings of the Synod of Sardica in the preface to the newly-discovered *Paschal Letters* of S. Athanasius,[2] where it is said, under the date of 343, that "a plan was agreed upon at Sardica with regard to the feast of Easter." A period of fifty years was

[1] Van Espen, *l.c.* p. 275.

[2] Concerning this, cf. above, pp. 3, 87.

fixed, during which time the Romans and Alexandrians were to celebrate Easter on a common day.[1]

As is known, the Synod of Nicæa had not finally decided the difference between the Alexandrian and Roman regulation of Easter. It commanded, indeed, that Easter should always be kept after the spring equinox; but the equinox itself was placed by the Romans on the 18th, by the Alexandrians on the 21st March, and regarding this difference the Council of Nicæa gave no decision.[2] It was indeed practically settled by the order that the Bishop of Alexandria should calculate the time of Easter, and should give notice of it to the Pope for general publication. Theoretically, however, the difference remained, and necessarily soon afterwards entailed a fresh negotiation.

According to the testimony of the preface, this took place at Sardica;[3] but even here the difference was not entirely, but only temporarily removed by a mutual understanding between the Greeks and Romans as to the time of Easter for the next fifty years; not, therefore, by the appointment of a new and common cycle, but only by an agreement for the next fifty years to meet present exigencies. Doubtless, in this matter, both sides had to make concessions from time to time, of which we know the following. According to the Alexandrian computation, Easter for the year 346 should have fallen on the 27th Phamenoth, 23d March; but Athanasius, in his eighteenth Paschal Letter, says that "the holy Synod of Sardica had discussed this question, and all had agreed that Easter should be celebrated eight days later, on the 4th Pharmuthi, 30th March, the Roman time."[4]

There was a second difference between the Romans and Alexandrians touching the year 349. According to the Alexandrian computation, Easter should that year have fallen on the 28th Pharmuthi, 23d April. The Romans, however, as says the preface to the *Festal Letters* of S. Athanasius, stated that "they possessed a tradition as ancient as the time of St. Peter, that they were not to go beyond the 26th Pharmuthi, 21st April;" and, for the sake of peace, the Alexandrians with the Romans agreed to place Easter on the

[1] Larsow, *Festal Letters of S. Athan.* p. 31.
[2] See vol. i. p. 327.
[3] See vol. i. p. 328.
[4] Larsow, pp. 141, 50, No. 18.

30th Phamenoth, 26th March.[1] But soon after this, harmony was again disturbed, and already in the years 350, 360, and 368 the Roman and Alexandrian calculation of Easter again varied, so that the decision of Sardica, as to the fifty years' uniformity of celebrating Easter, was never fully carried out.[2]

Sec. 66. *The Sardican Documents.*

Besides all those hitherto mentioned, we possess three important documents proceeding from the Synod of Sardica. The first and fullest of these is the Encyclical Letter, to which we have so often referred, from the Synod to all the bishops of Christendom, preserved by Athanasius in Greek, and by Hilary of Poitiers in Latin;[3] and it is not improbable that this was drawn up and published in both languages by the Synod itself.[4] It was indeed intended alike for the East and West, and the Synod itself consisted of about an equal number of Greeks and Latins.

The chief contents of the Encyclical Letter in question, of which we give the sense though not the exact words, are as follows: "The godly Emperors have summoned the Synod of Sardica for the three purposes already known, and the Eastern bishops (the Eusebians) have also made their appearance, partly in obedience to the Imperial command, and partly for the purpose of substantiating afresh their former charges against Athanasius and Marcellus. But when they saw these two, as well as Bishop Asclepas of Gaza, present, they feared to enter into an investigation, although they were repeatedly invited

[1] Larsow, *l.c.* pp. 33, 50, No. 21.

[2] In the year 350 the Alexandrians kept their Easter on the 8th April, the Romans on the 15th April; in 360, the former on the 23d April, the latter on the 19th March; in 368, the Alexandrians on the 20th April, the Romans on the 23d March. Cf. Ideler, vol. ii. p. 251, and the tables of Professor Galle in Larsow, p. 47. The further history of the Easter question we have given above, vol. i. pp. 329 sqq.

[3] Athanas. *Apologia c. Arian.* c. 44 sqq.; Hilar. *Fragm.* t. ii. p. 1283 sqq. Also in Mansi, t. iii. p. 57 sqq. and p. 69 sqq.; Hard. t. i. p. 662; Theodoret, *Hist. Eccl.* t. ii. p. 8.

[4] Cf. the marginal note in Mansi, t. iii. p. 58, and Ballerin. in their edit. *Opp. S. Leonis*, t. iii. p. xxxi.-ii. But the old Latin translation from the Greek text, which was discovered by Maffei at Verona, and edited by the Ballerini and Mansi, differs from the Latin original. Cf. above, pp. 94, 132.

and challenged to do so. What alarmed them still further was, that other bishops and priests, who had been ill-treated by them, intended, some in person and others through acquaintances, to raise complaints against them, and even to produce the chains with which they had been bound. For the rage of the Eusebians had been carried so far, that many bishops—for instance Theodulus (probably of Trajanople)—could only save themselves from death by flight. Besides this, deputies from several communities also appeared at Sardica to report the acts of violence which had been perpetrated among them in driving away the orthodox bishops and priests, and introducing others of Arian views. Under such circumstances, the Eastern bishops found it advisable to leave Sardica, thus sufficiently betraying the badness of their cause. Notwithstanding this, the whole affair was carefully examined by the Synod, and the acts themselves showed the Eusebians to be malicious slanderers and false accusers, since Arsenius still lives, and no chalice is broken ; but the Mareotic acts were drawn up with gross unfairness.[1] The attack upon the orthodoxy of Marcellus[2] was shown to be equally unjust, and Asclepas was also able to prove his innocence, from the acts drawn up by his enemies. Moreover, it appeared that the Eusebians had not only received back many who had been legitimately deposed for Arianism, but had even raised them to higher offices in the Church. The heads of this party are, Theodore of Heraclea, Narcissus of Neronias, Stephen of Antioch, George of Laodicea, Acacius of Cæsarea, Menophantes of Ephesus, Ursacius of Singidunum, and Valens of Murcia, who even on the journey to Sardica formed private cabals and hindered the other Eastern bishops from joining the Synod, as two of their number, the bishops Macarius and Asterius, who came over to the Synod, testified. Now that the Eusebians have again left Sardica, and their offences, consisting of slanders, acts of violence, false letters, blows, imprisonments, insults of holy virgins, and destruction of churches, have been proved, and—what is worst of all—after they have again revived the Arian heresy, the Synod has declared Athanasius, Marcellus, and Asclepas innocent, and deposed and excommunicated the chief of the Eusebians.[3]

[1] See above, pp. 24, 46. [2] See above, pp. 29 sqq., 104. [3] See above, p. 105.

From this time, then, no one shall hold any communion with them; and every bishop shall subscribe the decision of the Synod of Sardica as though he had been there present in spirit,[1] in order that peace may be preserved everywhere and by all the servants of the sanctuary." [2]

The second document left to us by the Synod of Sardica is their letter to the diocese of Alexandria,[3] which Athanasius[4] again gives in Greek, while it is omitted by Hilary. It runs as follows: "Their evil conscience did not allow the friends of Arianism to take part in the Synod; and the sentence of Pope Julius (at the Roman Synod) in favour of Athanasius, which was based on the testimony of eighty bishops, was justified. Therefore all the members of the Synod acknowledged the lawfulness of communion with Athanasius, while the Eusebians, on the contrary, had hesitated to take part in it unless Athanasius was from the very first excluded. But the Mareotic acts were too false and one-sided; Ischyras had himself exposed their untruthfulness. The charge against Arsenius was also proved false; but nevertheless, his enemies had not been quiet, but had invented new and malicious accusations. Athanasius and the Synod had demanded an investigation concerning this, but their accusers had taken flight, thus plainly showing their evil consciences. The Alexandrians, who have already suffered so much for the true faith, should

[1] Cf. above, p. 93.

[2] On the pretended Sardican Creed, which in Theodoret and elsewhere appears added to this Synodal Letter, cf. above, pp. 106 sq.

[3] Mansi, t. iii. p. 55; Hard. t. i. p. 655.

[4] This Synodal Letter is twice given in Athanas. *Apolog. c. Arian.* c. 37 sqq., c. 41 sqq. The first time it is addressed to the Church of Alexandria, the second time to the bishops of Egypt and Libya; but it is in fact one and the same document. That the second form given by Athanasius was also originally intended for the Alexandrians *in specie*, and not for the bishops of Libya and Egypt, appears from c. 43, where Alexandria is spoken of as "your town," and Athanasius as "your bishop." Accordingly, the second form was probably nothing more than a copy of the letter to the Alexandrians made for the Libyan and Egyptian bishops. This second form is, moreover, word for word the same as the first in the greater part of its contents; only the passage concerning the Alexandrian priests Aphthon, etc. is wanting, but it has two additions, one at the end of c. 42, and another in c. 43. See next page, notes 1, 4. On the connection of these two forms, cf. the *Admonitio* of the Benedictine editors to their edition of the *Apologia Athanasii*, n. viii. p. 95, edit. Patav.

persevere in this constancy, even if they should be persecuted afresh by the Arians. The Synod has done its part in caring for them,[1] and has therefore applied to the Emperors,[2] with petitions that those hitherto persecuted may obtain freedom, and that no secular powers shall be able to judge ecclesiastics, and oppress the faithful on religious pretexts.[3] The Alexandrians are exhorted by the Synod by no means to acknowledge Gregory, who has never been a lawful bishop, and was deposed at Sardica, but to receive Athanasius on his return with joy. The Synod further declares to them that the priests Aphthon, Athanasius the son of Capito, Paul, and Plution, who were driven away by the Eusebians, have also been again received by the Synod, and declared innocent; they too should therefore receive those persons with kindness. Finally, they might see what was finally decided against the heads of the Eusebians[4] from the supplement to the Encyclical Letter given above."

The Synod addressed similar letters to the other churches whose bishops they had declared innocent, and ordered to be reinstated.[5]

The third Synodal document is the letter from the Sardican bishops to Pope Julius.[6] "The Pope had had good reasons for not being present in person at the Synod, and it was best and fittest that the priests (bishops) from all the provinces should make their reports to the head, that is, the chair of St. Peter.[7] But as all which took place at Sardica had been

[1] The second form in Athanasius, *l.c.* c. 42, has here the addition: "Not only you, but also others of our fellow-servants have been injured, and have complained of it with tears."

[2] This letter from the Synod to the Emperors no longer exists; the Synod, however, mentions it in its letter to Pope Julius, in Hilar. *Fragm.* t. ii. p. 1291, n. 12.

[3] Secular officers had indeed practised all kinds of violences in Egypt in order to introduce Arianism. Cf. above, pp. 48 sq., 52.

[4] In the second form of this Synodal Letter the names of the most distinguished Eusebians are here inserted, Athanas. *l.c.* c. 43.

[5] Mansi, t. iii. p. 66; Athanas. *Apol. c. Arian.* c. 36, c. 49.

[6] It is now only extant in Latin, with considerably injured text, in Hilar. *Fragm.* t. ii. p. 1297, and in the *Collectio Cresconiana* (cf. Baron. ad ann. 347. 24), and was perhaps from the first only written in Latin. It is also printed in Mansi, t. iii. p. 40 sq.; Hard. t. i. p. 653 sq.

[7] Cf. above, p. 96. Blondell held this passage—*Hoc enim optimum et valde*

partly recorded in the acts communicated to the Pope, and could be in part accurately reported by the deputies, the priests Archidamus and Philoxenus, and the deacon Leo,[1] it seemed superfluous to treat of it in this letter also. The Orientals, who called themselves bishops, although many among them were tainted with the deadly poison of the Arian heresy, had, from mistrust of their own cause, refused to appear at the Court, as they had done before also at the Roman Synod. But it would have been unjust to give way to them and to refuse communion with Athanasius and Marcellus, to whom so many bishops gave favourable testimony. The Synod had had to treat of three subjects, for even the august Emperors had allowed a fresh investigation of everything. First of all, the true faith was to be treated of; then the case of those persons who had been deposed, and the justice of whose deposition was to be examined; and finally, the violence practised by the Eusebians upon many, of whom those who had died under it were undoubtedly to be regarded as martyrs. There were even then some in prison for no other fault than that they had rejected the Arian and Eusebian heresies, and would have no communion with their adherents. The Eusebians, however, had not only received back those who had been lawfully deposed, but had promoted many of them to higher offices in the Church. The Pope might hear also what was decided with regard to the ungodly and foolish youths (*adolescentibus*) Ursacius and

congruentissimum esse videbitur, si ad caput, i.e. *ad Petri Apostoli sedem de singulis quibusque provinciis domini referant sacerdotes*—to be an interpolation, on account of its barbarous Latin, *i.e. valde congruentissimum* (Blondell, *De Primatu Ecclesiæ*, p. 106). Remi Ceillier (*Histoire Générale*, etc., t. iv. p. 696), on the other hand, remarked that the barbarous Latin might be explained by the supposition that the letter had been first written in Greek, and that we have only a translation. But Remi Ceillier could not deny that this sentence interrupted the train of thought of the letter, and looked like something inserted in parenthesis. Bower (*History of the Popes*, vol. i. p. 192) and Fuchs (*Biblioth. der Kirchenvers.* vol. ii. p. 128) have urged this still more strongly; the latter especially has confidently urged the conjecture that this sentence was originally a gloss added *ad marginem* by a reader of the letter, and taken into the text by a later copyist. But Remi Ceillier, in order to save the sentence, says that the Synod had only intended by these words to point *en passant* to its decision with regard to the appeal to Rome.

[1] This deacon, however, did not sign the Synodal acts; this was done by the two priests only. See Mansi, t. iii. p. 66; Athanas. *Apol. c. Arian.* c. 50.

Valens. Both had pertinaciously sown the seeds of false doctrine, besides which Valens had left his See and attempted to force himself into another (probably Aquileia), thereby raising a tumult, in which a brother bishop, named Victor (or Viator), who could no longer fly, was trampled upon, and died in that town a few days after. The Pope would sanction the letter from the Synod to the Emperors, and he might, moreover, make known the acts of the Synod to the bishops of Sicily, Sardinia, and Italy.[1] Marcellus, Athanasius, and Asclepius (Asclepas) had been received into communion by the Synod, but Ursacius and the others had been deposed and excommunicated." How joyfully Pope Julius agreed to these decisions we see from his letter to the Alexandrians in the oft-mentioned *Apology* of S. Athanasius.[2]

There is a doubt about the genuineness of the three so-called Sardican documents translated into Latin, which Scipio Maffei has discovered in the codex at Verona, often before mentioned. The first of these is a letter from the Synod to the Christians at Mareotis, of which the contents run thus:— "From the Synodal Letter to the Alexandrian Church (see above, p. 162) you will already know what took place at Sardica. The Synod, however, has written a special letter to you to comfort you, because you have suffered so much from the heretics, especially from Gregory (the pseudo-bishop of Alexandria). You should bear all these troubles patiently, as did the Apostle Paul. The Mareotic priest Ingenius has indeed also shown much courage,[3] and better times are now coming, for the Synod has already applied to the Emperors that they should no longer allow such things. The Synod has declared Athanasius innocent, and deposed others. Concerning Gregory (of Alexandria) it is needless to write; he has been long since deposed, and whoever has been hitherto deceived by him should repent."[4] The second document is an alleged letter from S. Athanasius to the same Mareotic Churches:—

[1] That is, in the provinces immediately under the Papal jurisdiction.

[2] *Apolog. S. Athanas.* c. 53.

[3] The name of this Ingenius appears twice in signatures, in Athanasius, *Apolog. c. Arian.* c. 74, p. 151; and *Epist. Encyl. ad Episc.* n. 7, p. 317, t. i. P. i. ed. Patav.

[4] Mansi, t. vi. p. 1217; Baller. *l.c.* p. 607 sqq.

"The Synod had praised the stedfastness of the faithful in Mareotis, and had had much sympathy with them. It had written to them also separately, although the letter to the Alexandrian Church applied as well to the Christians in Mareotis (as belonging to the See of Alexandria)." The foregoing document is copied almost word for word, and only transferred from the *oratio directa* to the *indirecta*. At the close it is signed not only by Athanasius, but also by a great number of the other bishops present at Sardica.[1] The third document is another letter from S. Athanasius, but addressed to the Church at Alexandria. In it he thanks God that his innocence had been acknowledged, and then speaks of the wickedness of his enemies; how they had not had the courage to take part in the Synod of Rome in 341; of their subsequent behaviour at Sardica, and how they had been deposed. It is here said, among other things, that they had said in so many words: "What have we in common with you? You are Christians, but we are enemies of Christ." The Alexandrians should not have allowed themselves to be misled by such people; but now that the Synod had spoken, those who had been led away should return. At the end the deposition of the Eusebians is again mentioned, and the conclusion of the first letter is repeated here as in the second.[2]

These extracts show, I think, quite sufficiently the spuriousness of these documents. Is it possible that the Eusebians would have said of themselves: "We are enemies of Christ"? But apart from this, the whole contents of these three letters are lame and feeble. The constant repetition of the same words is intolerable, and the whole style pointless and trivial To this it must be added, that the whole of Christian antiquity knew nothing of these three documents, which only exist in the codex at Verona, so that we cannot acknowledge them as genuine.

Sec. 67. *The Cabal of the Eusebians at Philippopolis.*

In strong contrast to the genuine Synodal Letter of Sardica is the Encyclical published by the Eusebians from

[1] Mansi, t. vi. p. 1219; Baller. *l.c.* p. 609.
[2] Mansi, *l.c.* p. 1221 sqq.; Baller. *l.c.* p. 611 sqq.

Philippopolis after their separation from the Synod,[1] and which is also preserved to us by S. Hilary.[2] It is addressed first of all immediately to Gregory (the Eusebian bishop) of Alexandria, Amphion of Nicomedia, Donatus (the schismatic) bishop of Carthage,[3] and others, and then generally to all the bishops, priests, and deacons of Christendom. In the very beginning, the thesis which the Eusebians insisted upon in their quarrel with the Orthodox at Sardica is brought forward, namely, that a sentence once pronounced by the Church, especially regarding the appointment and deposition of a bishop, should remain unalterable. It is then stated that Marcellus of Ancyra, that terrible heretic, had put forth and published in a book fearful blasphemies against Christ, ascribing to the kingdom of Christ a beginning and an end, as though He Himself had only become the Image of God by the Incarnation;[4] that Marcellus had falsely interpreted the Holy Scriptures, and had united the errors of Sabellius, Paul of Samosata, and Montanus; that he had already been admonished on this account by the Synod of Constantinople in 335, under the Emperor Constantine, and when this proved useless, had been condemned; that Protogenes of Sardica and the bishop of Syracuse had also signed the document which was published at that time by the bishops against Marcellus, and yet they had now received him into communion. Marcellus, it was added, when anathematized in the East, had sought his fortune in a foreign land, where he might deceive the simple; but no one should hold communion with him or his companions.

The Encyclical here turns to Athanasius, saying that he had profaned the divine mysteries, had broken in pieces a holy chalice and altar, overthrown a bishop's chair, destroyed a church (belonging to Ischyras), and imprisoned a priest;[5] also that he was accused of many acts of violence, such as the murder of a bishop and the like, and had, during the holy

[1] Socrat. ii. 20.

[2] Hilar. Pictav. *Fragm.* iii. p. 1307–1326; Mansi, iii. p. 126–140; Hard. i. p. 671 sqq.

[3] The rightful bishop of Carthage was named Gratus. See above, pp. 97, 137.

[4] See above, pp. 31 sq.

[5] Our text, corrupt in so many places, has *presbyterum Narchen*, probably instead of *Ischyram*.

days of Easter, raged like a tyrant in Alexandria, and sought by military and civil force—*i.e.* by imprisonments and corporal punishments—to obtain the victory for his party.[1] He did not appear at the Synod of Cæsarea, but had been condemned at Tyre; he had appealed to the Emperor, who had, however, recognised his guilt and exiled him. After his return from exile he had acted worse than before, had reinstated condemned bishops, even promoted unbelievers (that is to say, those who had only shortly before been baptized) to bishoprics, and set at nought all law; nay, when through the Synodal decree at Antioch another was appointed in his place, he had, with the help of the heathen, set fire to a church, destroyed an altar, and then taken flight.[2] It was added that, after their return from banishment, Paul of Constantinople and Marcellus of Ancyra had perpetrated most terrible outrages; the latter had caused priests to be stripped and dragged about the forum, had hung the sacred Host round their necks and desecrated it, and had publicly robbed of their clothes and put to shame virgins dedicated to God. At Gaza, Asclepas had destroyed an altar, and occasioned many disturbances; and at Adrianople, Lucius, after his return, had caused the Hosts consecrated by (Arian) priests to be thrown to the dogs. Athanasius had deceived Pope Julius and other Italian bishops by false letters,[3] so that they had received him into communion (at Rome in 341), and because they had incautiously done this, for their own sakes they would not now abandon him. Asclepas had been deposed from his See seventeen years before, and after him Paul and Lucius; and now, after many of the former judges, accusers, and witnesses were dead, they artfully demanded a fresh trial in foreign parts, and wanted those very Western bishops, who had their own interests to guard, because they had received them so incautiously, to be their judges. This was, however, contrary to all ecclesiastical discipline, and

[1] See above, pp. 18–20. Cf. pp. 48 sq.

[2] We see that the Eusebians attribute the outrages which occurred at the intrusion of Gregory (cf. *supr.* pp. 18 sq.) to Athanasius. With equal right, one who attacks another might throw the blame of the blood shed upon the one attacked, because, if he had not defended himself, all would have ended quietly.

[3] Here is especially meant the letter of defence of Athanasius sent by the Egyptian and Libyan bishops. See above, pp. 53 sq.

they were seeking to introduce something quite new, namely, *ut Orientales episcopi ab Occidentalibus judicarentur*. Athanasius had while still bishop agreed to the deposition of Asclepas,[1] and Marcellus also would hold no communion with him. Further, Paul had been present when they deposed Athanasius in 341, and had been one of those who signed the sentence against him; now, however, they were all united, and each forgave the other. Athanasius had hoped after the death of his former judges to obtain a more favourable sentence, and Julius, Hosius, and Maximus of Trèves had for this purpose brought about the meeting of the Synod of Sardica. They themselves, the Orientals, had appeared there, but had been compelled to separate,[2] because the other party had from the first received Athanasius and Marcellus into communion, and had rejected all their proposals. A great number of impious men from Constantinople and Alexandria had been present at Sardica to support the cause of the murderer, church destroyer, chalice breaker, etc. What kind of synod this was, had already been proved by the fact that Protogenes of Sardica, who had formerly joined in the anathema against Paul and Marcellus, now held communion with them. In like manner they had granted a place in the synod to Dionysius of Elis, whom they had themselves deposed; Bassus of Diocletianapolis, banished for his crimes to Syria, had been by them consecrated bishop; and Protogenes now held communion with John (or Aetius ?) of Thessalonica, although he had formerly shunned all communion with him as a *concubinarius*. The orthodox party had desired to force them, by reference to the edicts of the Emperors, to take part in the Synod, but this had been impossible; they could not possibly receive Athanasius and Marcellus into communion. Their order now was that no one should hold communion with Hosius, Protogenes, Athanasius, Marcellus, Asclepas, Pope Julius, and their associates, nor write to them, or receive letters from them. Let the Synod rather, in accordance with the most ancient laws of the Church,

[1] Nothing is anywhere said of this. Possibly Athanasius, who was not himself present at the Synod of Antioch in 330, only did not afterwards expressly protest against it.

[2] See above, p. 98.

condemn Bishop Julius of Rome, Hosius, Protogenes, Gaudentius (of Naissus), and Maximus of Trèves on account of their communion with Athanasius, Marcellus, Paul of Constantinople, and other offenders, and because they had introduced a new heresy, namely, that of Marcellus. At the end of this Encyclical the Eusebians add their confession of faith,[1] which, without counting an unimportant addition, is word for word identical with the fourth Antiochian formula. Finally, anathema is pronounced against strict Arians, against those who teach the doctrine of three Gods, or who do not distinguish between the Persons of the Trinity, or who say that the Son was not born, or that Christ is not God, or, that He is of the nature and not of the will of the Father.[2]

Socrates[3] relates that the Eusebians had retreated from Sardica to Philippopolis, and had there held a cabal, and rejected the ὁμοούσιος, but had embodied the formula and doctrine of ἀνόμοιος in their letters, which they sent everywhere. This is so far wrong, that the Eusebian symbol not only does not contain the expression ἀνόμοιος, but undeniably has hardly even a tinge of Semi-Arianism, and certainly not that decided Arian hue which belongs to the expression ἀνόμοιος. On the contrary, precisely the chief point of Anomæan doctrine—*i.e.* that the Son is ἑτέρας οὐσίας from the Father—is there anathematized, and S. Hilary of Poitiers, in his work *De Synodis*,[4] did not scruple to interpret this symbol in an orthodox sense.

The words of the Eusebians themselves: *placuit nobis de Sardica scribere*, which we read in this Encyclical,[5] contradict the statement of Socrates, that they had issued it from Philippopolis. Tillemont[6] and Remi Ceillier[7] maintain that the Eusebians here convict themselves of a lie, as in another part of their letter they intimate[8] that it had been composed later

[1] Hilary gives this twice: once in our passage (*Fragm.* iii. p. 1322), again in *de Synodis*, c. 34, p. 1172. Cf. Mansi, t. iii. p. 137. 125.

[2] Cf. Athanas. *de Synodis*, c. 26, i. ii., and above, p. 79.

[3] Soc. ii. 20. [4] *De Synodis*, c. 35 sq.

[5] In Mansi, t. iii. p. 134; Hilar. *Fragm.* iii. p. 1319, n. 23.

[6] Tillemont, *Mémoires*, t. vi., in the treatise on the Arians, art. 39, p. 142, ed. Brux. [7] *Histoire Générale*, t. iv. p. 699.

[8] In Hilar. *l.c.* p. 1317, n. 19; Mansi, t. iii. p. 133.

than the Encyclical of the orthodox; and as the latter speaks of the previous departure of the Eusebians from Sardica, it is impossible that it could have been written there. But in our opinion this argument does not hold good, for the words of the Eusebians: *iique* (the orthodox) *vulgo omnibusque gentibus id quod inter nos fuerat referebant*,[1] do not necessarily refer exactly to the Encyclical of the orthodox; they might previously and in other ways have spread the news. Besides, in the passage in question, even the text itself is not quite certain, and perhaps instead of *gentibus* should be read *gentilibus*, which would agree quite well with what immediately precedes it, and with a former statement that Athanasius had promoted heathens to bishoprics.[2]

It is, moreover, universally known that the Eusebians first issued their Encyclical not from Sardica, but from Philippopolis,[3] and the dispute is only as to whether they so far acted *bona fide*, considering themselves to be the true Sardican Synod,[4] or whether they purposely intended to deceive and to impose upon the readers of their Encyclical, by representing their changeling as the genuine offspring of Sardica.[5] It is usually said that they were successful in this in Africa, where, in consequence of their cunning, only a Semi-Arian Council of Sardica was known. The case then stands thus: As the orthodox bishop of Carthage, Gratus, was himself present at the Council of Sardica, the Eusebians, as we know, sent their Encyclical to the Donatist bishop of Carthage. To this the Donatists referred later, stating that the Synod of Sardica had recognised them; while S. Augustine, on the other hand, could only remark: *Sardicense Concilium Arianorum fuit*.[6] It is concluded from this that he only knew of

[1] It is this passage to which Tillemont and Remi Ceillier appeal in Mansi, t. iii. p. 133, and Hilar. *l.c.*

[2] Mansi, t. iii. p. 130.

[3] Cf. Walch, *Historie der Kirchenvers.* p. 180; Fuchs, *l.c.* 150, note; Remi Ceillier and Tillemont, *ll.cc.*; Neander, *Kirchengesch.* ii. 2 (vol. iv.), p. 739, second edition.

[4] Fuchs, *l.c.*

[5] See the remarks in Mansi, t. iii. p. 195. Also Tillemont and Remi Ceillier, *ll.cc.*

[6] Augustine, *Contra Crescon.* lib. iii. c. 34, lib. 4, c. 44; *Epist.* 44 (formerly 163), *ad Eleusium*, c. 3.

an Eusebian Synod of Sardica, and nothing of an orthodox Synod.[1] However true this may be, it was not in consequence of the cunning of the Eusebians in dating their letter from Sardica; for Augustine, in his letter to Eleusius, plainly says, that until then he had not seen the Encyclical in question, and in a hasty reading of it had only observed that the Synod had rejected Athanasius and Pope Julius. He would, however, examine this document at greater leisure. If he did so, he must have found from the Eusebians' own letter that a Synod of the orthodox had also taken place at Sardica; and as every one who read the Encyclical itself must have arrived at this conclusion, the supposition that the Eusebians wanted thereby quietly and cunningly to put the orthodox Synod out of sight, and substitute themselves, is not borne out. The truth is rather, that, without denying the existence of the opposite party, they laid claim to having formed the true Synod of Sardica themselves.

Sec. 68. *Is the Synod of Sardica Œcumenical?*

Finally, it must be asked whether the Synod of Sardica is to be reckoned among the General Councils or not; a question which has already been much agitated, and which I have expressly discussed in the *Tübinger Theologischer Quartalschrift* of the year 1852, where I have shown that the œcumenical character of this Synod certainly cannot be proved. It is indeed true that it was the design of Pope Julius, as well as of the two Emperors, Constantius and Constans, to summon a General Council at Sardica,[2] but we do not find that any such actually took place; and the history of the Church points to many like cases, where a Synod was probably intended to be œcumenical, and yet did not attain that character.[3] In the present case, the Eastern and Western bishops were indeed summoned, but by far the greater number of the Eastern bishops were Eusebians, and therefore Semi-Arians, and, instead of acting in a better mind in union with

[1] Baron. ad ann. 347, n. 62, c. 72–74, 96–98; Remi Ceillier, *l.c.* pp. 698, 699; Tillemont, *l.c.*

[2] See above, pp. 84, 90.

[3] Cf. vol. i. p. 3. [The *Latrocinium* of Ephesus in 449 is a classical instance.]

the orthodox, they separated themselves and formed a cabal of their own at Philippopolis.

We cannot indeed agree with those who maintain that the departure of the Eusebians in itself rendered it impossible for the Synod to be œcumenical, or it would be in the power of heretics to make an Œcumenical Council possible or not. We cannot, however, overlook the fact that, in consequence of this withdrawal, the great Eastern Church was far more poorly represented at Sardica, and that the entire number of bishops present did not even amount to a hundred.[1] So small a number of bishops can only form a General Council, if the great body of their absent colleagues subsequently give their express consent to what has been decided. This was not, however, the case at the Synod of Sardica. The decrees were no doubt at once sent for acceptance and signature to the whole of Christendom, but not more than about two hundred of those bishops who had been absent signed, and of these, ninety-four, or nearly half, were Egyptians. Out of the whole of Asia only a few bishops from the provinces of Cyprus and Palestine signed, not one from the other Eastern provinces; and even from the Latin Church in Africa, which at that time numbered at least three hundred bishops, we meet with very few names.[2] We cannot give much weight to the fact that the Emperor Constantius refused to acknowledge the decrees of Sardica; it is of much greater importance that no single later authority declared it to be a General Council. Natalis Alexander[3] is indeed of opinion that because Pope Zosimus, in the year 417 or 418, cited the fifth canon of Sardica as Nicene, and a Synod held at Constantinople in 382 cited the sixth as Nicene, the Synod must evidently have been considered as an appendix to that of Nicæa, and therefore its equal, that is, must have been honoured as œcumenical. But we have already shown how Zosimus and the bishops of Constantinople had been led into this confusion from the defects of their manuscript collections of the canons.[4]

[1] See above, p. 93.

[2] We find the result of this circulation of the decrees of Sardica in c. 50 of the *Apology* of S. Athanasius *contra Arianos* of the year 350. See above, p. 93.

[3] Natalis Alexander, *Hist. Eccl.* sec. iv. diss. 27, art. iii.

[4] Cf. vol. i. p. 356, *supr.* p. 133. Also the successors of Zosimus, Boniface, and

Athanasius, Sulpicius Severus, Socrates, and the Emperor Justinian were cited in later times for the œcumenical character of this Synod. Athanasius calls it a μεγάλη σύνοδος;[1] Sulpicius Severus says it was *ex toto orbe convocata;*[2] and Socrates relates that "Athanasius and other bishops had demanded an Œcumenical Synod, and that of Sardica had been then summoned."[3] It is clear at the first glance that the two last authorities only prove that the Synod had been intended to be a general one, and the expression "great Synod," used by Athanasius, cannot be taken as simply identical with œcumenical. While, however, the Emperor Justinian, in his edict of 346, on the three chapters, calls the Synod of Sardica œcumenical,[4] he yet in the same edict (p. 303), as well as in other places, does not reckon it among the General Councils, of which he counts four. To this must be added, first, that the Emperor is not the authority entitled to decide as to the character of an Œcumenical Synod; and secondly, that the expression *universale concilium* was employed in a wider sense in speaking of those Synods which, without being general, represented a whole patriarchate, as we have already explained above.[5]

The Trullan Synod and Pope Nicholas the First are further appealed to. The former in its second canon approved of the Sardican canons,[6] and Pope Nicholas said of them: *omnis Ecclesia recipit eos.*[7] But this in no way contains a declaration that the Synod of Sardica was œcumenical, for the canons of many other Councils also—for instance, Ancyra, Neocæsarea, and others—were generally received without those synods themselves being therefore esteemed œcumenical. Nay, the Trullan Synod itself speaks for us; for had it held the Synod of Sardica to be the second General Council, it would have placed its canons immediately after those of Nicæa, whereas they are placed after the four ancient General

Celestine, even Leo the Great and the twelfth Synod of Toledo in 681, made this confusion, cf. Hard. t. ii. pp. 26, 38; t. iii. p. 1720, n. 4; Ballerin. *Opp. S. Leonis M.* t. ii. p. 1171, and *Tüb. Quartalschr.* 1852, p. 402 sqq.

[1] *Apolog. contra Arian.* c. i.
[2] Sulp. Sev. *Hist.* lib. ii.
[3] Socrat. *Hist. Eccl.* lib. ii. c. 20.
[4] In Hard. t. iii. p. 317 A.
[5] Vol. i. p. 4.
[6] Harduin, t. iii. p. 1659 C.
[7] Harduin, t. iii. pp. 135 B, 1814 A.

Councils, and from this we see that the Trullan Synod did not reckon the Sardican among those Councils, but after them.

To this it must be added, that the highest Church authorities speak most decidedly against the Synod being œcumenical. We may appeal first to Augustine, who only knew of the Eusebian assembly at Sardica, and nothing at all of an orthodox Synod in that place ;[1] which would have been clearly impossible, if it had at that time been counted among the œcumenical synods.[2] Pope Gregory the Great and S. Isidore of Seville speak still more plainly. They only know of four ancient General Councils—those of Nicæa, Constantinople, Ephesus, and Chalcedon.[3] The objection of the Ballerini,[4] that Gregory and Isidore did not intend to enumerate the most ancient general synods as such, but only those which issued important dogmatic decrees, is plainly quite arbitrary, and therefore without force.

Under such circumstances, it is natural that among the later scholars by far the greater majority should have answered the question, whether the Synod of Sardica is œcumenical, in the negative, as have Cardinal Bellarmin,[5] Peter de Marca,[6] Edmund Richer,[7] Fleury, Orsi, Sacharelli, Tillemont, Du-Pin, Berti, Ruttenstock Rohrbacher, Remi Ceillier,[8] Stolberg,[9] Neander,[10] and others.

On the other hand, Baronius,[11] Natalis Alexander,[12] the

[1] Cf. above, pp. 171 sq.

[2] Cf. *Quartalschrift*, 1852, p. 407.

[3] Gregor. M. liber ii. Epist. 10. Isidor. Hispal. *Etymolog.* liber vi. c. 16 ; see above, p. 2.

[4] In their edition of the works of S. Leo, t. iii. p. l., and in Galland, *De Vetustis Canonum Collect.* t. i. p. 301.

[5] *De Controversiis Christ. Fidei*, t. ii. pp. 5 and 3, ed. Colon. 1615.

[6] *De Concord. Sacerdotii et Imp.* lib. vii. c. 3, n. 5.

[7] *Historia Concil. Gen.* t. i. p. 89.

[8] *Histoire Générale des Auteurs Sacres*, t. iv. p. 697 ; Remi Ceillier here says rightly : "l'église qui est l'arbitre de ces sortes de questions, n'a point jugé à propos de lui donner rang parmi ceux qu'elle respecte sous ce titre."

[9] *Gesch. der Relig. Jesu Chr.* vol. x. p. 490 sq.

[10] *Kirchengesch.* second edition, vol. iii. p. 349.

[11] *Annales*, ad ann. 347, n. 7–9 ; cf. *Tübing. Quartalschr. l.c.* p. 412.

[12] *Hist. Eccl.* sec. iv. diss. 27, art. iii.

brothers Ballerini,[1] Mansi,[2] and Palma,[3] have sought to maintain the œcumenical character of the Synod; but as early as the seventeenth century the Roman censors condemned the direct assertion of Natalis Alexander[4] on the subject.

[1] In their edition of the works of S. Leo, t. iii. p. xlix., also in Galland, *l.c.* pp. 300 sqq.

[2] In his additions to Natal. Alex. *Hist. Eccl. l.c.*

[3] *Prælectiones Hist. Eccl. quas in Collegio Urbano habuit*, Jo. Bapt. Palma, Romæ 1838, t. i. P. ii. p. 85.

Cf. Natal. Alex. *l.c.*; Scholion, iii. t. iv. p. 460, ed. Venet. 1778.

BOOK V.

THE INTERVAL BETWEEN THE COUNCIL OF SARDICA AND THE SECOND GENERAL COUNCIL.

SEC. 69. *Return of S. Athanasius from his Second Exile. Synods of Antioch, Jerusalem, and Alexandria. The Synod of Cologne against Euphrates.*

IT was clearly impossible that the events at Sardica could again restore to the Church the peace disturbed since the appearance of Arius. On the contrary, the division now became still greater than at the time of the Synod of Nicæa. Then, the number of actual Arians was still small, and the semi-Arian Eusebians would not, outwardly at least, separate themselves from the Church; now, however, at Sardica, they came forward in open opposition to the Church, and thus strengthened the party to which, from the beginning, they had felt themselves drawn by a spiritual affinity. Their object was to obtain by force the universal recognition of Semi-Arianism (this name, however, was not in existence at that time) throughout the whole East, as far as the dominion of the Emperor Constantius extended; and they could the better hope for this, as in fact a far greater number of Eastern bishops stood on the Eusebian and Arian side than on the Nicene and Sardican.

In order to gain this end, on their departure from Sardica, before, during, and immediately after their stay at Philippopolis, they began a great persecution of the Nicene-minded bishops in the East-Roman Empire, which Athanasius describes in his *Historia Arianorum ad Monachos*,[1] though

[1] *Historia Arianorum ad Monachos*, c. 18, 19.

not in exact chronological order, so that he combined in one what occurred during the (orthodox) Synod of Sardica, and what took place afterwards.[1] While the Synod of Sardica was still assembled, Constantius, on the complaints of the Eusebians, sentenced to deposition and banishment the two bishops, Asterius of Arabia and Arius (according to others Macarius) of Palestine, who had separated themselves from the Eusebians at Sardica,[2] as well as the bishops, Lucius of Adrianople and Diodorus of Tenedos, who had also distinguished themselves at Sardica; but Theodulus of Trajanople and Olympius of Eno Rodope they had so calumniated to the Emperor, that he pronounced the sentence of death upon both, and they were only able to save themselves by flight.[3] Moreover, at Adrianople, because the congregation of that place, adhering to their bishop, Lucius, refused communion to the Eusebians, ten laymen were executed, and two priests and three deacons exiled to Armenia.[4]

Whilst this took place in Thrace, the Eusebians had obtained from the Emperor a decree concerning Egypt also, that watches should be set at the gates of the towns to hinder by force the entrance of those who had received from the Synod of Sardica permission to return. Should, however, Athanasius and any of his priests mentioned by name in the decree dare to return to Alexandria, they were to be seized, and sentenced to death. Athanasius, in relating this, adds, "Thus has the new heresy not only denied the Lord, but also taught murder."[5]

Under such circumstances, Athanasius could, of course, not return to his diocese. He went instead from Sardica to Naissus in Dacia (the birthplace of Constantine the Great), and from thence to Aquileia, whither he had been summoned by his protector the Emperor Constans,[6] who also arrived there

[1] For instance, he relates here (*l.c.* c. 19) the persecution of Bishop Theodulus of Trajanople in connection with events which only took place after the Synod of Sardica. And yet the bishop died even before the Synod of Sardica dispersed, as appears from its Encyclical in Athanas. *Apol. c. Arian.* c. 45. Cf. the notes of Benedictine editors on Athanas. *Hist. Arian. ad Monachos*, c. 19.

[2] See p. 161.

[3] Athanas. *Hist. Arian. ad Monachos*, c. 18, 19.

[4] *Ibid.* c. 18.

[5] *Ibid.* c. 19.

[6] Cf. Athanas. *Apolog. ad Imperat. Constantium*, c. 4. Athanasius celebrated

at that time.[1] The Synod of Sardica, however, sent two legates, the Bishops Vincent of Capua and Euphrates of Cologne, to Constantius, to obtain his permission for the return of Athanasius. The Emperor Constans gave them a *magister militum*, named Salias, as an escort, and letters of recommendation to his brother.[2] Theodoret says that they also contained the threat that if Constantius did not recall Athanasius, Constans would himself conduct him back to Alexandria, and drive away his enemies. Philostorgius, Socrates, and Sozomen[3] also speak of this threat; but the two latter say that Constans had first entreated his brother in friendly words to recall Athanasius, and only when this proved fruitless, menaced war. Tillemont thinks, however, we should give the preference to Theodoret's account, and adds that even if Athanasius is silent on this point, it would still seem to be true, for Lucifer of Cagliari also asserted afterwards in presence of Constantius that "only fear had moved him to recall Athanasius." And Constantius himself declared, "That only in order to preserve friendship with his brother had he done so."[4]

The two legates, Vincent and Euphrates, immediately set off for the East, to meet the Emperor Constantius; but at Antioch the Arian-minded bishop, Stephen, played them a villanous trick, which has scarcely its equal in history. Through a certain Onajer he appointed a prostitute to come to the inn where the two bishops were staying, under the pretext that a young traveller who had arrived there wanted her. She came the next night (it was Eastertide, 344), and was shown

Easter 344 at Naissus; at Easter 345, he was at Aquileia, as appears from the newly-discovered *Festal Letters of S. Athanasius*. See in Larsow, the *Festal Letters of S. Athanasius*, pp. 31, 32.

[1] *Ibid.* c. 3, c. 15. Athanasius was falsely accused of having at that time excited the Emperor Constans against his brother Constantius, and defends himself against this (c. 3). In the other passage (c. 15) he speaks of service having been held in a church not yet consecrated at Aquileia, in presence of the Emperor Constans. He says this in his own defence, because he had done the same.

[2] Athanas. *Hist. Arian. ad Monachos*, c. 20; Theod. *Hist. Eccl.* ii. 8.

[3] Philostorg. *Fragm.* lib. iii. n. 12, p. 485, ed. Mogunt.; *Hist. Eccl.* Theodoreti, etc.; Socrat. ii. 22; Sozom. iii. 20.

[4] Tillemont, etc., t. viii. note 62, *sur S. Athanase* p. 295, ed. Brux.

by Onajer into the room where the aged Euphrates slept. He awoke at her entrance, asked who had come, and believed, when he heard a female voice and the nature of her answer, that it could be none other than the devil. The girl was equally astonished when she saw an old man, and recognised him for a bishop. Both made a noise, at which several servants came, and a great tumult followed: the whole wicked trick was discovered, especially by the open avowal of the girl. The Emperor himself summoned a synod to try the case, and Bishop Stephen was deposed.[1]

This is, doubtless, the same Synod of Antioch which drew up a new confession of faith, called, on account of its length, μακρόστιχος,[2] and of which Athanasius[3] speaks. He says that it was held three years after the Antiochian Synod *in Encæniis*, and therefore in the summer of 344; and this is exactly the time when a synod met at Antioch, assembled about the deposition of Stephen. The fact that all former Synodal historians place this new Synod before that of Sardica, must not mislead us, as the true date of the Sardican assembly was unknown. The formula μακρόστιχος first repeats the fourth Antiochian Creed of 341 almost word for word, and like it anathematizes the chief Arian propositions, but adds more detailed explanations, directed partly against the Arians, the Sabellians, Marcellus of Ancyra, and Scotinos (*i.e.* Photinus[4]), but also partly against Athanasius, because he had disputed the sentence: "the Father begat the Son of His will."[5] It is especially worthy of notice that already in this creed the Semi-Arian Shibboleth, "the Son resembles the Father in all things" (κατὰ πάντα ὅμοιος), finds expression. The Eusebians sent this new formula by the Bishops Eudoxius of Germanicia, Martyrius,

[1] Thus relate Athanasius, *Hist. Arian. ad Monachos*, c. 20, and still more circumstantially, Theodoret, ii. 9, 10.

[2] See above, pp. 85, 89.

[3] Athanas. *De Synodis*, c. 26; Socrat. ii. 19, 20; Sozom. iii. 11; Mansi, t. ii. 1362; Hard. t. i. 627.

[4] Photinus (φωτινός) means "man of light;" they, however, ironically named him "man of darkness."

[5] That which comes of the will is accidental; the Son, however, is absolute, therefore begotten, not of the will, but of the nature of the Father. Cf. Athanas. *Orat. III. cont. Arian.* c. 62; Neander, *Kirchengesch.* second edition, ii. p. 737, note 2. Cf. below, p. 194, note 2.

and Macedonius of Mopsuestia, to the West, and they arrived there just as the Latin bishops were holding a synod in Milan. The former erroneous date of the Synod of Sardica gave rise to the opinion that this Synod of Milan also had preceded that of Sardica, and had taken place at the very time that Athanasius was summoned by the Emperor Constans to Milan, before his departure for Sardica.[1] But it is in fact a later Synod of Milan, after that of Sardica, which is here mentioned, and of which we shall shortly[2] give a more particular account.

The above-mentioned Euphrates of Cologne is the same who was said to have been deposed at a Synod of Cologne in 346, for his attachment to the Arian heresy. The chief objection which had hitherto been brought against the genuineness of these Acts of Cologne was built upon the fact that the Council of Sardica had only taken place in 347, and that Euphrates was still at that time a most zealous opponent of the Arians. This chief objection has now, indeed, disappeared, and it may be that Euphrates, while at the Synod of Sardica, and at the time of his journey as ambassador in 344, still belonged entirely to the Orthodox side, but soon after went over to Arianism. The Acts of Sardica, however, say very expressly that Euphrates had already, long before his deposition, shown a leaning towards Arianism, and had been on that account repeatedly warned by his colleagues, and even in the presence of Athanasius (therefore probably during the latter's stay in Gaul). According to this, his fall had been by no means a sudden one. But this is directly contradicted by his behaviour at Sardica, and by his being chosen as Synodal legate. To this must be added, that if this really had taken place, Athanasius would have displayed less sympathy for Euphrates in his *Historia Arianorum ad Monachos*, which he wrote after his return to Alexandria, therefore later than October 346,[3] and would hardly have been silent concerning his fall. There are, besides, many other reasons against this Synod of Cologne, especially the total silence of all contemporary and of all ancient writers, even of the special historians of heresy, for instance, Philastrius, up to the ninth century. A circumstantial proof of the spuriousness of the Acts of the Council of

[1] See above, p. 85. [2] See below, p. 189. [3] See c. 25 of the *Hist. Arian.*

Cologne was given by Harzheim, *Concil. Germ.* t. i.; Binterim, *Pragmatische Gesch. der Deutschen Concilien*;[1] and Rettberg in his *Kirchengesch. Deutschlands*;[2] against whom the learned Jesuit de Buck and Dr. Friedrich of Munich have lately argued in favour of this Synod of Cologne.[3]

After the deposition of Stephen, another Eusebian, Leontius Castratus,[4] received the See of Antioch. What had occurred, however, caused the Emperor Constantius to recall many banished orthodox priests, to forbid further persecution of Athanasius and his adherents, and, ten months later, after the death of the pseudo-Bishop Gregory, even to invite him to return to his bishopric, while he allowed no one else to occupy the See of Alexandria.[5]

Constantius now addressed three short letters, which are still extant, to Athanasius, to the effect that "he should come to him at the Court, that he might be from thence reinstalled in his bishopric. He might undertake this journey without any fear or scruple, for the Emperor would have even before reinstated him if he had requested it; and the public carriages were also assigned to his use for the journey."[6] The third letter, especially, shows that Athanasius did not at

[1] Vol. i. p. 357 sqq. [2] Part i. p. 123.

[3] Friedrich, *Kirchengesch. Deutschlands*, vol. i. 1867, pp. 277-300.

[4] Reuch. *Theol. Literaturblatt*, 1866, No. 11, p. 347.

[5] Athanas. *Hist. Arian. ad Monach.* c. 21. The chronological statement given in this passage is probably to be understood thus: About Easter 344, the affair of Euphrates of Antioch, took place, on account of which, a few weeks later, a synod was held, Bishop Stephen deposed, and Leontius raised to his place. In consequence of this, Constantius recalled many adherents of S. Athanasius (in the summer of 344). Ten months later, Gregory of Alexandria died, on the 26th of June 345, as says the preface to the *Festal Letters of S. Athanasius*, No. xviii. This preface, indeed, gives the death of Gregory in the same year in which it reports the return of S. Athanasius, viz. 346; but he places these two events together, not on account of their chronological proximity, but because of their intrinsic connection. If Athanasius returned to Alexandria in 346, Gregory must necessarily have been already dead in 345, as Constantius only invited Athanasius to return after the death of Gregory, and, as he himself says, he waited for Athanasius a full year before he even began his return journey. Athanas. *Hist. Arian. ad Monach.* c. 21 sq., and *Apolog. c. Arian.* c. 51. According to Theodoret (ii. 4. 12), Gregory, after having desolated his flock, like a wild beast, for six years, was murdered by his own adherents; cf. Mamachi, *de ratione temporum*, Athanas. p. 190, n. 5.

[6] Athanas. *Apol. c. Arian.* c. 31; *Hist. Arian. ad Monach.* c. 21.

the first invitation immediately set out, but, on the contrary, hesitated a long time.[1]

Constantius wrote at the same time to his brother Constans that "he had waited for Athanasius already a whole year, and had not allowed the See of Alexandria to be again filled.[2]

When these letters arrived Athanasius was still at Aquileia. At the command of his well-wisher Constans, he visited him again in Gaul,[3] and went then to Rome, where exceeding joy reigned on account of his recall.[4] At his departure Pope Julius gave him letters of congratulation to the diocese of Alexandria;[5] and all other bishops also, whom he met on his journey, held communion with him.[6]

At Antioch he met the Emperor Constantius, was very kindly received, obtained permission for his return, and begged that his accusers might be brought face to face with him. To this last the Emperor did not agree, but he caused all the written charges against Athanasius then in existence to be destroyed, and promised not to believe any fresh charges against him.[7] At the same time, he sent letters to all the bishops of Egypt, to the diocese of Alexandria, to his Prefect in that place, Nestorius, and other officials, with regard to the return of Athanasius.[8]

During his stay in Antioch, Athanasius took no part in the service held by the Eusebian bishop of that city, Leontius, but joined the Eustathians in a private house; and when the Emperor once expressed the wish that he should leave the Arians at least one church in Alexandria, Athanasius replied that he would do so as soon as the same was granted to the Catholics in Antioch. The Arians, however, did not agree to this proposal.[9]

On his further journey to Alexandria, Athanasius also visited

[1] Athanas. *Apol. c. Arian.* c. 51.

[2] Athanas. *Hist. Arian. ad Monachos*, c. 21.

[3] Athanas. *Apol. ad Imper. Constantium*, c. 4.

[4] Athanas. *Apol. c. Arian.* c. 51. The Benedictine editors, in their *Vita Athanasii*, p. 48, ed. Patav., are of opinion that Athanasius first went from Aquileia to Rome, and only from thence to Gaul.

[5] Preserved to us in Athanas. *Apol. c. Arian.* c. 52 sq. [6] *Ibid.* c. 51.

[7] Athanas. *Apol. ad Imper. Constant.* c. 5, and *Hist. Arian. ad Monachos*, c. 22.

[8] They are preserved in Athanas. *Apol. c. Arian.* c. 54–56 incl., and *Hist. Arian.* c. 23.

[9] Socrat. ii. 23; Sozom. iii. 20.

Jerusalem, where Bishop Maximus was then holding a synod, which solemnly acknowledged him as a member of the Church, and sent a letter of congratulation to the Alexandrians.[1] At last, towards the end of 346, after more than six years' absence, Athanasius once more reached his own diocese, and on the 21st October 346 was received with very great rejoicings.[2] He at once held a synod for the confirmation of the Sardican decrees,[3] and united energy with wise caution and gentleness, in order to win over even his former adversaries to himself and to the Nicene faith.[4] More than four hundred bishops from henceforth, as he says, held communion with him; those of Rome, the whole of Italy, Calabria, Bruttia, Sicily, Sardinia, Corsica, the whole of Africa, Gaul, Britain, Spain, Pannonia, Norica, Dalmatia, Dardania, Dacia, Mysia, Macedonia, Thessaly, the whole of Achaia, Crete, Cyprus, Lysia, and the greater number from Palestine, Isauria, Egypt, Thebes, Libya, and Pentapolis.[5]

Like Athanasius, Paul of Constantinople, Asclepas of Gaza, Marcellus of Ancyra, and others were now reinstated in their bishoprics, the latter, however, not without strife and difficulty, for Basil of Ancyra, the Eusebian occupant of his See, would not of his own will retire.[6]

Sec. 70. *Synod of Carthage.*

A few years before the Synod of Sardica, Bishop Cæcilian of Carthage, on whose account the Donatists had separated from the Church, had died, and Bishop Gratus of Carthage was now the head of the Orthodox. We have seen him before at the Council of Sardica, among other African bishops, at whose representation the Emperor Constans sent two high

[1] Athanas. *Apol. c. Arian.* c. 57; *Hist. Arian. ad Monachos*, c. 25; Hard. i. 690; Mansi, iii. 174.

[2] Cf. *Hist. Arian. ad Monach.* c. 25, and Gregor. Nazianz. Encom. S. Athanas. sec. 16. Cf. the *Vita Athanasii*, p. 49 of the Benedictine edition (Patav.), Möhler's *Athanas.* ii. pp. 82–85, and the preface to the newly-discovered *Festal Letters of S. Athanasius*, in Larsow, p. 32, No. xviii.

[3] Socrat. ii. 26; Sozom. iv. 1.

[4] Cf. Möhler, *Athanasius*, vol. ii. p. 85, and what is there cited from Gregory of Nazianzus.

[5] Athanas. *Hist. Arian. ad Monach.* c. 28.

[6] Socrat. ii. pp. 20–22; Sozom. iii. p. 24.

officers, Paul and Macarius, with rich presents of money to Africa,[1] to be dispensed in the name of the Emperor for the support of all the poor, including the Donatists, and to exhort all to peace and unity. His general idea was by this means partly to support the impoverished Africans, and partly to win back to the Church many Donatists. The heads of the Donatists, however, warned their adherents against these favours, and in the town of Bagæ their bishop, also Donatus by name, raised a regular tumult of the Circumcellions. The rebels, at first victorious, were soon defeated, and Macarius, in the name of the Emperor, now had resort to such violent and severe measures, that the *tempora Macariana* were long after named by the Donatists with curses. Bishop Donatus of Bagæ and others of the most unruly were executed, and many fled, but many more outwardly joined the Church. The Donatist service was forbidden, and the schism appeared to be entirely destroyed, and, in fact, it never dared openly to break out again under Constans and Constantius.[2]

The Catholic bishops of Africa, however, under the presidency of Gratus, now held a Synod at Carthage, between 345 and 348, to thank God that the schism had ended, and to draw up wholesome rules for the Church. The first two canons of this Synod have reference to the Donatists. The first canon forbids the repetition of baptism, and the second canon declares that those who (like many Circumcellions) had destroyed themselves were not to be honoured as martyrs. The twelve other canons concerned the discipline of the Church, without reference to the Donatists. The third and fourth canons order that clerics and nuns, widowers and widows, may not live together with strange men or women;[3] the fifth canon, that no bishop shall receive a strange cleric

[1] This mission, and also the Synod of Carthage in question, took place shortly after the Council of Sardica was ended. It is generally placed in 348, chiefly going upon the supposition that the Sardican Synod was held in 347. But Tillemont has brought forward another and certainly weak reason for the date 348, and even Mansi here agrees with him. Cf. Tillemont, *Mémoires*, t. vi., in the treatise *les Donatistes*, art. 45, p. 47, ed. Brux., and Mansi, t. iii. pp. 93, 118.

[2] Cf. our treatise on the Donatists in the *Kirchenlexicon* by Wetzer and Welte, vol. iii. p. 259, and Optat. Milev. *de Schismatic. Donatist.* lib. iii. c. 1, 2.

[3] Cf. canon 3 of Nicæa, vol. i. p. 380.

without a letter from his own bishop, and shall ordain no stranger without the knowledge of his bishop;[1] the sixth canon, that clerics shall abstain from all secular business; the seventh canon, that no stranger shall be admitted to receive the communion in another church, without a letter of recommendation from his own bishop; the eighth canon, that no one who is a steward or guardian, and the ninth, that no one who carries on business for others may be ordained. The tenth canon, that no cleric shall injure the rest through jealousy; the eleventh canon, that haughty clerics shall be punished; and the twelfth, that the agreements they have made with one another shall be held to. The thirteenth canon, in conclusion, forbids clerics to practise usury; and the fourteenth canon threatens with severe punishment any who violate these laws.[2]

Sec. 71. *Photinus, and the first Synods held on his account.*

We have already before mentioned the repeated attacks of the Eusebians upon the orthodoxy of Bishop Photinus of Sirmium, and now, soon after the Synod of Sardica, he was the cause of a series of new synods.

As is known, Marcellus of Ancyra had, in order to deprive the Arians of their arguments against the Nicene faith, allowed himself to be drawn into heterodox statements. His πρῶτον ψεῦδος is his distinction between the Logos and the Son.[3] He named the union of the Logos with the man Jesus, the Son; but the Logos he regarded as equivalent to the Divine Intelligence, which did not come forth from the Father before the creation of the world, but remained silent in Him. He thus approached Sabellianism, in not acknowledging the eternal hypostasis of the Logos,—His eternal personal existence. On the other side, Marcellus was accused

[1] Cf. canons 13 and 15 of Sardica. See above, pp. 147, 151.

[2] The text of these canons of the Council are to be found in Mansi, t. iii. p. 143 sqq., and in another recension of the text, *ibid.* p. 151 sqq.; also in Hard. t. i. p. 683; and, best of all, in Bruns, *l.c.* p. 111 sqq.; in German, in Fuchs, *Biblioth. der Kirchenversamml.* vol. iii. p. 30 sqq. Fuchs has here given a general introduction, well worth reading, on the subject of the African Synods.

[3] See above, p. 31.

of Samosatenism and Ebionitism, as his Christ, in distinction to the Logos, was not truly divine, and the ἐνέργεια δραστική of God only dwelt and operated in Him.[1]

These rudiments of doctrine are said to have been further developed by his pupil Photinus, born in Ancyra, for a considerable time deacon in that place under Marcellus, and afterwards bishop of Sirmium in Pannonia;[2] but from the inaccuracy of our authorities, it is difficult to decide what statement belongs to Marcellus, and what is peculiar to Photinus; and especially concerning the latter's doctrine of the Trinity, hardly anything is known.[3]

Moreover, it was not Photinus' doctrine of the Trinity, but his Christology, which called forth such active opposition. He lowered Christ to a man, who for His virtues had been glorified of God, and adopted as His Son; because on the very ground of His moral perfection, the Logos (in fact, the ἐνέργεια δραστική) had dwelt in Him very especially, and through Him had worked miracles.[4] According to Marius Mercator, he considered Christ as simply a son of Joseph and Mary;[5] but, according to Epiphanius, Vigilius of Tapsus and Cassian, he, like Marcellus, ascribed to Him a supernatural birth.[6] The latter opinion appears to us most probable, although lately Zahn,[7] in his work on Marcellus of Ancyra, has declared in favour of the first—the downright Ebionitism of Photinus. If, however, Epiphanius maintains that, according to the opinion of Photinus, the man Christ was brought into being by the descent of the Logos from His power, thus lowering Himself to a human existence,[8] he has

[1] But Marcellus' opinions were really neither Ebionite nor Sabellian, and he opposed Sabellianism. Cf. Zahn, *Marcellus of Ancyra*, Gotha 1867, pp. 191–215.

[2] Ruins of Sirmium (the birthplace of the Emperor Probus) are still to be found at Mitrowitz, in the country of Peterwardein.

[3] Zahn, *l.c.* p. 189 sqq.

[4] Cf. the passage from Vigil of Tapsus, in Baur, *Lehre von der Dreieinigkeit*, vol. i. p. 547, note.

[5] Marius Mercator, *Diss. de XII. Anathem. Nestorii*, p. 164, in Baur, *Lehre von der Dreieinigkeit*, vol. i. p. 547, note.

[6] Epiphan. *Hær.* 71. 3; Baur, *l.c.* p. 546 sq. note 40.

[7] Zahn, p. 191 sqq.

[8] Cf. Baur, *l.c.* p. 547, note; Dorner, *Lehre von der Person Christi*, vol. i. pp. 881, 882, note.

probably misunderstood the twelfth anathema of the Synod of Sirmium of 351 (according to Hilary, the eleventh anathema), and is of opinion that the statement there rejected, of a transformation of the Logos into human nature, had been a doctrine held by Photinus; whilst, more probably, Photinus reproached the orthodox Church with holding this opinion, and therefore the Synod, in defence of the orthodox doctrine, anathematized it.[1] However this may be, the connection between the doctrine of Photinus and Ebionitism and Samosatenism is in any case easily recognised.

The first anathema upon these, as we before saw, was pronounced by the Eusebians at the Synod of Antioch in 344, in their long confession of faith, the so-called μακρόστιχος, where they ironically give Photinus (φωτεινός, "man of light") the name of σκοτεινός, "man of darkness," and place him on just the same footing with Marcellus.[2] From that time a series of synods, Eusebian as well as Orthodox, occupied themselves with censuring the doctrine of Photinus. The statements of the ancient Fathers are, however, so doubtful and uncertain with regard to the determination of the time and place of many of them, that a series of their different arrangements was drawn up on this subject by learned men, as in the case of the chronological points in the life of S. Paul. Of those who principally came forward in this direction were Baronius, Petavius, Sirmond, Larroque, Peter de Marca, Tillemont, Pagi, Constant, Fabricius, Mansi, Montfaucon, Remi Ceillier, and others; it would, however, lead us too far, and hardly repay the trouble, if we were to bring forward all their reasons for and against, and compare them.[3] The truth appears

[1] Klose, *History and Doctrine of Marcellus of Ancyra and Photinus*, 1837, p. 78 sq.

[2] In Athanas. *De Synodis*, c. 26, n. v. et vi. p. 591, ed. Patav. They here ascribe to both the doctrine that the Logos is not eternal, and that the kingdom of the Son should have an end. How Marcellus understood the last point we showed above, p. 105; but whether Photinus agreed in this is doubtful. Cf. Baur, *l.c.* p. 548; Dorner, *l.c.* p. 882.

[3] A review of these different chronological systems is given by Walch, *Ketzerhistorie*, vol. iii. pp. 52–56. The principal writings on it are: Petav. *Diss. de Photino*, etc., printed in Mansi, t. iii. p. 185 sqq., and the refutation by Sirmond, *Diatriba, examen continens*, etc., printed in the Dissertations of Marca, *De Concordia Sacerdotii et Imp.* p. 330 sqq. of the Frankfort edition of 1708.

to me to be, that already, about 345, soon after the end of the Sardican Synod, the orthodox bishops, at a Synod at Milan, found it necessary to pronounce on their part also the anathema against Photinus, especially as otherwise, on account of their relation to Marcellus of Ancyra, they might easily have been thought to favour this erroneous doctrine. Hilary speaks very shortly of this Synod of Milan in his second *Fragment*,[1] remarking that Photinus had been by it condemned as an heretic. The attention of the Synod, however, was occupied chiefly by Valens and Ursacius, next to Photinus, as these two very influential bishops, deposed on account of Arianism by the Synod of Sardica, now, since a change had taken place in the views of their well-wisher Constantius (in favour of Athanasius), deemed it necessary to reconcile themselves to the Nicene faith, and to renounce the Arian doctrine. For this purpose they presented a memorial to the Synod of Milan, in which they anathematized Arius and his adherents, and all who said that the Son proceeded from nothing, and declared that He was not eternal.[2]

A like anathema on the Arian doctrine was demanded at Milan of the emissaries of the Eusebians, who had been sent to bring the formula μακρόστιχος of the Antiochian Synod of 344. These were the Bishops Demophilus, Macedonius,

A treatise by Marca on the same subject is to be found in the same place, p. 319 All the discussions between Petav. and Sirmond concerning Photinus, etc., are collected in the fourth vol. of the *Opp. Sirmondi*, p. 531 sqq. of the Parisian edition, and p. 369 of the Venetian edition. The other principal writers on the subject are: Matthew de la Roque, a Calvinist theologian at Geneva, in his *Dissert. Duplex: I. De Photino*, etc., *II. De Liberio*, 1670, and in his *Considérations servants de réponse à ce que M. David a écrit contre la Dissert. sur Photin.* 1671; Mansi, in his well-known dissertation, *de Epochis Sardicensis et Sirmiensium Conciliorum* (*Collect. Concil.* t. iv. p. 87 sqq.); Pagi, *Crit. in Annales Baron.* ad ann. 347. 8, and 76; 349. 49; 350. 6; 351. 10 sqq.; Tillemont, *Mémoires*, t. vi. arts. 41, 44, 46; the treatise, *Sur les Ariens*, and notes, 36, 39, 40, 41; also Coustant in his notes on the Benedictine edition of the works of S. Hilary; Montfaucon, in the *Vita S. Athanasii* (vol. i. of the Benedictine edition of his works); Fabricius, *Biblioth. Græca*, vol. xi. p. 378; Remi Ceillier, *l.c.* t. iv. p. 704 sqq.

[1] Hilar. *Fragm.* ii. n. 19, p. 1296; Deutsch, in Walch, *l.c.* p. 44.

[2] Cf. a letter of Valens and Ursacius to Pope Julius in Hilar. *Fragm.* t. ii. p. 1297; Athanas. *Apolog. c. Arian.* c. 58; Sozom. t. iii. p. 23; Hard. t. i. p. 691; Mansi, t. iii. p. 166; cf. Fuchs, *l.c.* vol. ii. p. 172 sqq.

Eudoxius, and Martyrius.[1] They, however, refused to do this, and parted from the Synod with embittered feelings.[2]

Two years later, in 347, another Western Synod was held on account of Photinus, whether at Rome or again at Milan is doubtful, and it is once more Hilary whom we have to thank for this information.[3] He says: "Two years after the condemnation of Photinus by the Synod of Milan, the bishops from many provinces had assembled to drive Photinus from his office." It had also become necessary to shut out from the Church several bishops on account of their complicity with Arianism, or because they had borne false witness against Athanasius. This, however, had caused Valens and Ursacius (clearly from fear of deposition) to write to Pope Julius, and beg to be received into the Church; (therefore, in spite of their anathema of Arius, they had not been absolved or received by the Synod of Milan).

We still possess the letter which they addressed at that time to Pope Julius, and have partly made use of it on the preceding page. The more detailed contents, however, are as follows:— "That they admit that their former unfavourable view of Athanasius had been mistaken, and that they would now gladly enter into communion with him.[4] Arius, on the contrary, and his adherents were heretics, as they had already declared in their former letter delivered at Milan." The protestation, which is added, is characteristic, that in case Athanasius or the Eastern bishops should intend to proceed against them,

[1] All four are mentioned by Pope Liberius in Hilary, *Fragm.* v. n. 4, p. 1331, but Athanasius (*de Synodis*, c. 26) omits Demophilus.

[2] We learn this from a letter of Pope Liberius, preserved in the *Fragments* of S. Hilary (*Fragm.* v. n. 4, p. 1331, ed. Bened.), also in Mansi, t. iii. p. 202. It was formerly erroneously believed that the Synod of Milan, here mentioned by Liberius, had preceded the Synod of Sardica. It was, however, the Synod just mentioned which was meant. Liberius wrote this letter after the Synod of Arles in 353 or 354; now, if he says those Eusebian ambassadors had been in Milan eight years before, this points to the year 345.

[3] Hilarii, *Opp. Fragm.* ii. p. 1296, n. 19.

[4] At the Synod of Milan in 345 they had, indeed, pronounced the anathema upon Arius, but still, as it appears, would not enter into communion with Athanasius. They were, in fact, his personal enemies. Now, however, they showed an inclination for this also, from fear of deposition, not from inward conviction, as their subsequent relapse shows.

and to call them to account for their former behaviour, they would not appear without the consent of the Pope.[1]

Hilary adds that this letter had been despatched two years after the condemnation of Photinus by the Romans.[2] By the Romans he understands the Latins in general, and in a stricter sense the above-mentioned Synod of Milan in 345.

Valens and Ursacius about this time, 347, addressed a second letter to Athanasius, which they sent to him from Aquileia by their colleague Moyses. They there declare that they desire to hold communion with him, and beg for a friendly answer.[3] Upon this they did, in fact, obtain forgiveness, and were again received into communion.[4] We said above that it was doubtful whether the Synod was held at Rome or Milan; the Benedictine editors of the works of S. Hilary,[5] however, pronounce, and as we think rightly, in favour of Milan, because the Synod of Rimini in 359 states that Valens and Ursacius had been again received into the Church at a Milanese Synod.[6] But they could not yet have accomplished this reception at the Synod of 345.

The affair of Photinus did not progress so quickly, for, on account of his fitness in other respects, especially as a preacher, he was so highly esteemed in his diocese, that notwithstanding the Synodal sentence passed against him, he continued to hold his episcopal See.[7] The last-named Synod therefore found it necessary, in order to give force to its decisions, to communicate them also to the Eastern bishops,[8] who thereupon immediately assembled in synod at Sirmium, the See of Photinus, where he was again declared a heretic.[9] As, however, the members of this Synod were of Eusebian and Arian views, they made use of the same opportunity to strike a blow at Athanasius and the Synod of Sardica, by declaring in

[1] Where this letter may be found was stated p. 189, n. 2.

[2] Hilar. *l.c.* p. 1298.

[3] In Athanas. *Apol. c. Arian.* c. 58, p. 139, t. i. P. i. ed. Patav. ; Hilar. *l.c.* p. 1298 ; Mansi, t. iii. 161.

[4] Hilar. *l.c.*

[5] In their notes on Hilar. *Fragm.* ii. p. 1295 sq.

[6] Hilar. *Fragm.* viii. n. 2, p. 1344 ; Mansi, t. iii. p. 304.

[7] Hilar. *Fragm.* ii. n. 21, p. 1299 ; Sozom. iv. p. 6.

[8] Hilar. *l.c.* n. 21.

[9] Hilar. *Fragm.* ii. n. 22, 23, p. 1299.

their answer to the Western bishops that Marcellus of Ancyra was the real father of the heresy of Photinus, thus raising afresh the question concerning him, and characterizing his acquittal at Sardica as false and mistaken, while adding that even Athanasius had now broken off all communion with him.[1]

That the bishops of this Synod of Sirmium actually Arianized is shown by the short creed which they placed as an introduction to their Synodal letters, and in which they say: *Profitemur . . . et unum unicum ejus Filium, Deum ex Deo, Lumen ex Lumine, primogenitum omnis creaturæ.* The sentence against Photinus and their remark against Athanasius followed in their letter this exposition of the faith, in order that every one, by accepting and signing the Synodal letter, should, at the same time, approve all these three points.[2]

Whether this Synod took place before or after the death of the Emperor Constans is doubtful. The Benedictine editors of the works of S. Hilary are in favour of 349, because Sulpicius Severus, in speaking of this Synod, maintains that "the bishops there present had sought by this artful union of the affair of Photinus with that of Marcellus and Athanasius to work upon the Emperors." Therefore, Constans was then still living.[3] Zahn,[4] in his work on Marcellus of Ancyra, is of the same opinion as to the chief points; he only places it a little earlier, in 347, because, according to Hilary's representation, it followed immediately upon the reception into the Church of Valens and Ursacius. On the other side, Remi Ceillier argues that the Synod of Milan had addressed itself to the Oriental bishops probably for this reason, that since the death of Constans, in January 350, Sirmium no longer belonged to the West (the kingdom of Magnentius), but was first, like the whole of Pannonia, occupied by General Vetranion, who, on the 1st May 350, had himself proclaimed emperor at Sirmium, and, in December of the same year, was delivered by him again to Constantius.[5]

Now, whether or no this Synod took place shortly before or

[1] Hilar. *Fragm.* ii. n. 22, 23, p. 1300.
[2] *Ibid.* ii. *l.c.* n. 2.
[3] See note b on Hilar. *Fragm.* ii. n. 21, p. 1299.
[4] Zahn in his work on Marcellus of Ancyra, p. 80.
[5] Remi Ceillier, *l.c.* t. iv. p. 714 sq.

soon after the death of the Emperor Constans, it is certain that Photinus, supported by these military disturbances, still remained in his See, and that anything decisive against him could only have been undertaken in 351, after Constantius had also become ruler of Pannonia, and therefore of Sirmium.

Sec. 72. *New Synod and First Formula of Sirmium in* 351.

Now, in 351, at the desire of the Emperor Constantius, who was himself just then at Sirmium (after the submission of Vetranion), a great synod assembled there, at which Narcissus of Neronias, Theodore of Heraclea, Basil of Ancyra,[1] Eudoxius of Germanicia, Macedonius of Mopsuestia, Marcus of Arethusa, and other well-known Eusebians were present. From the West were present at the assembly probably only Valens and Ursacius, who, since the death of the Emperor Constans, and since they had again become subjects of Constantius, had once more gone over to the Eusebian cause.[2] Socrates and Sozomen,[3] indeed, only mention Valens as present; but they also reckon Bishop Hosius, who at that time, 351, was certainly not in Sirmium, neither was any one present, so it appears, from the province of Magnentius.[4]

The Synod deposed Photinus on account of his Sabellian and Samosatan doctrine, and published at the same time a somewhat ambiguous creed with twenty-seven anathemas, called the first formula of Sirmium. It is preserved to us in Athanasius, Hilary, and Socrates,[5] and is word for word identical with the fourth Antiochian formula, of which we have before spoken.[6] All its expressions sound quite orthodox, and in the very first appendix Arianism proper is anathematized; but, on the other hand, the ὁμοούσιος and the

[1] Marcellus was soon again driven from the See, perhaps in consequence of the Synod of Sirmium of 347 or 349. Cf. Sozom. iv. p. 2; Soc. ii. p. 29.

[2] Tillemont, t. vi. art. 45, *Sur les Ariens*, p. 149.

[3] Soc. ii. 29; Sozom. iv. 6.

[4] Cf. the notes of Valesius on Soc. ii. p. 29.

[5] Athanas. *de Synodis*, c. 27; Hilar. *de Synodis*, c. 38, p. 1174 sqq.; Socrat. ii. p. 30; also printed in Mansi, t. iii. p. 257 sqq.; Hard. t. i. p. 702.

[6] See above, p. 80.

strict Nicene definition is avoided. Socrates says that Bishop Marcus of Arethusa was the author of this creed; and this probably refers to his statement already given,[1] that not the Antiochian Synod itself, but the four deputies sent by it to the Emperor Constans, and among them Marcus, had drawn up the formula.

The anathemas added at Sirmium run thus:—

"(1.) Those who say that the Son is from nothing, or from another being (of another substance), and not from God; or that there was a time when the Son was not,—the holy Catholic Church condemns.

"(2.) If any one calls the Father and the Son two Gods, let him be anathema.[2]

"(3.) If any one says indeed that Christ was God, and the Son of God before all ages, but does not acknowledge that He was the Helper of the Father at the creation of all things, let him be anathema.[3]

"(4.) If any one says that the Unbegotten, or a part of Him, was born of Mary, let him be anathema.[4]

"(5.) If any one says that the Son existed indeed before Mary, but only according to the divine foreknowledge, and not that He was begotten of God, and with God before all ages, and that through Him all things were created, let him be anathema.[5]

"(6.) If any one says that the substance of God expands and contracts, let him be anathema.

[1] In Athanas., Hilar., Socrat. *ll.cc.* Cf. on them, Fuchs, *Bibliothek der Kirchenvers.* vol. ii. pp. 188 sqq.

[2] Because Photinus declared the unbegotten Logos to be eternally resting in the Father, he was accused of really teaching two Gods, because two unbegotten, the Father and the Logos. The Synod, however, here says, instead of Logos, Son, although Photinus made the same distinction between both as did Marcellus of Ancyra. Cf. above, pp. 31 sq., and the anathemas, Nos. 10, 15, 16, 26.

[3] This meaning is given by the Greek text; the Latin makes it somewhat different: "Et si quis unum dicens Deum, Christum autem Deum ante sæcula Filium Dei obsecutum Patri in creatione omnium non confitetur, anathema sit."

[4] This is partly directed against Sabellianism, partly against Marcellus and Photinus, in so far that, according to both, the Logos was unbegotten, and the unbegotten rested upon Christ, through the ἐνέργεια δραστική.

[5] Plainly against Photinus, who, by the Son understanding only the union of

"(7.) If any one says that the expanded substance of God forms the Son, or calls the expansion of His substance God, let him be anathema.[1]

"(8.) If any one calls the Son of God λόγος ἐνδιάθετος, or προφορικός, let him be anathema.[2]

"(9.) If any one calls the Son of Mary only a man, let him be anathema.

"(10.) If any one believes that the God-man, born of Mary, was Himself the Unbegotten, let him be anathema.[3]

"(11.) If any one interprets the words, 'I am the First and I am the Last, and beside me there is no God' (Isa. xliv. 6, as opposed to false gods), after the Jewish manner, as denying the only-begotten God, who was before all ages, let him be anathema.[4]

"(12.) [According to Hilary, the 11th.] If any one, hearing the words, 'The Logos became flesh,' believes that the Logos was transformed into flesh, or that He, enduring a change, took flesh, let him be anathema.[5]

"(13.) [According to Hilary, 12.] If any one, hearing the words, 'The Son of God was crucified,' says His Godhead has suffered destruction, or pain, or change, or diminution, or annihilation, let him be anathema.

"(14.) [According to Hilary, 13.] If any one says that the words, 'Let us make man,' were not spoken by the Father to the Son, but to Himself (*i.e.* to the Logos impersonally dwelling in Him), let him be anathema.

the divine with the human, declared the Son to be later than Mary; and the passages of Scripture which were brought forward in opposition to him, and which speak of the eternity of the Son, he explained thus: that "the Son was only eternal in the foreknowledge of God, but not in His own existence." Cf. Baur, *l.c.* 543; and Neander, *Kirchengesch.* 2d edition, part 3, vol. iv. p. 817.

[1] Baur is of opinion that it is not a saying of Photinus himself which is here anathematized, but a statement which he falsely ascribed to the Catholic Church, as in the twelfth anathema. But it appears to us to be in truth an opinion held by Photinus himself, only inaccurately expressed, which is here anathematized.

[2] The doctrine of Photinus is here again inaccurately quoted, for he applies the terms ἐνδιάθετος and προφορικός to the Logos alone, and not to the Son. Klose (*Geschichte und Lehre des Marcellus und Photinus*, p. 72) has not translated this sentence quite correctly, and has confused the subject and predicate.

[3] Cf. the note on anathema 2.

[4] In Hilary this is the twenty-third anathema.

[5] See above, p. 187; Klose, *l.c.* pp. 77 sq.

"(15.) [According to Hilary, 14.] If any one says that the Son did not appear to Abraham, but the unbegotten God, or a part of Him, let him be anathema.

"(16.) [According to Hilary, 15.] If any one says that the Son did not wrestle with Jacob as a man, but the unbegotten God, or a part of Him, let him be anathema.[1]

"(17.) [According to Hilary, 16.] If any one understands the words, 'Then the Lord rained fire from the Lord' (Gen. xix. 24), not as referring to the Father and the Son, but says that He (the Father) sent rain from Himself, let him be anathema. For the Lord the Son sent rain from the Lord the Father.[2]

"(18.) [According to Hilary, 17.] If any one, hearing that the Father is the Lord, and the Son is the Lord, and the Father and the Son are the Lord (as He is the Lord from the Lord), supposes that there are two Gods, let him be anathema. For we do not make the Son equal with the Father, but subject to the Father (*οὐ γὰρ συντάσσομεν υἱὸν τῷ πατρὶ, ἀλλ' ὑποτεταγμένον τῷ πατρί*[3]); for He did not descend upon Sodom without the will of the Father, neither did He send rain of Himself, but from the Lord (that is, at the will of the Father), as manifestly the Father only has power of Himself; neither does the Son sit on the right hand of the Father of Himself (of His own power), but obeying the word of the Father, 'Sit Thou on my right hand.'

"(19.) [According to Hilary, 18.] If any one calls the Father, Son, and Holy Ghost one Person, *ἓν πρόσωπον*, let him be anathema.

"(20.) [According to Hilary, 19.] If any one, calling the Holy Ghost the Paraclete, says He is the unbegotten God, let him be anathema.

[1] Cf. above, the note on anathema 2.

[2] This anathema also refers to the opinion of Photinus, that the Logos was not properly a person. Cf. Klose, *l.c.* 92.

[3] However Arian these words may sound, yet in the further exposition no other meaning is attached to them than that the Son is so far not equal to the Father, but subordinate to Him, as He has His *esse*, and with it His power, not *ex Se*, but *ex Patre*. Hilarius Pictaviensis (*De Synodis*, n. 51, p. 1182) also in his commentary on this passage has taken these expressions in *bonam partem* as opposed to the complete identification of the Father and the Logos by Photinus. But it must not be forgotten that they were Eusebians and semi-Arians from whom these anathemas proceeded.

"(21.) [According to Hilary, 20.] If any one does not, as our Lord taught us, call another than the Son the Paraclete, let him be anathema. For He said, 'I will pray the Father, and He shall give you another Paraclete.'

"(22.) [According to Hilary, 21.] If any one calls the Holy Ghost a part of the Father and the Son, let him be anathema.

"(23.) [According to Hilary, 22.] If any one says the Father, the Son, and the Holy Ghost are three Gods, let him be anathema.

"(24.) If any one says that the Son of God came into existence through the will of God, like any other creature, let him be anathema.[1]

"(25.) If any one says that the Son was begotten without the will of the Father, let him be anathema. For the Father did not beget the Son without desiring it, because He was obliged by any necessity of His nature; but as soon as He desired it, before all time, and without any change, He begat Him, and brought Him to light.[2]

"(26.) If any one says that the Son is unbegotten, and had not His origin in any other Person, maintaining that there are two unbegotten Beings who have their origin in no other, thus setting up two Gods, let him be anathema. For the Head that is the Foundation of all things is the Son; but the Head that is the Foundation of Christ is God. In this way we piously trace back all through the Son to the aboriginal Foundation of all, who alone has His *esse ex Se Ipso.*

"(27.) And again, defining precisely the Christian doctrine,

[1] From this point the numbers of the anathemas are the same in Hilary as in the Greek text. Concerning the meaning of this anathema, cf. the note on the one following.

[2] Athanasius and those of the Nicene belief took offence at the Arianizing expression, "the Father begat the Son of His will," for that which comes of the will is accidental; but, they added, the Son was not begotten of the will, but of the nature of the Father. Against this the Eusebians had already raised objections in their fifth Antiochian formula (the μακρόστιχος), as we have seen above, p. 180, and declared that "the Father had begotten the Son of His will." Because they were now reproached with this, and these words were taken to mean that the Son was degraded to the level of creatures, which were also created of the will of God, they drew up the twenty-four anathemas for the refutation of such reproaches. But at the same time they desired to repudiate the Athanasian formula, "of the nature of God," and "with necessity," and therefore immediately added the twenty-fifth anathema.

we say: If any one does not call Christ God, and the Son of God, existing before all ages, who was the Helper of the Father at the creation of all things, but maintains that only since His birth of Mary He is called Christ and Son, and that He then only began to be God, let him be anathema."[1]

We have already placed this Synod of Sirmium in 351, for Socrates and Sozomen[2] most expressly give this date when they say that "the Synod was held the next year after the consulate of Sergius and Nigrinianus, when on account of the public disturbances no new consuls had been chosen." This statement was followed by most authorities, especially by Petavius, Pagi, Larroque, Peter de Marca, Tillemont, Constant, Remi Ceillier, Walch, and others; while, on the other hand, Sirmond declared in favour of 357, and Mansi, Fabricius, and Massari for 358.[3]

After the drawing up of this first formula of Sirmium, the Synod proposed to Photinus that he should sign it, and renounce his errors, upon which he might remain in his See; but instead of agreeing to this, he complained to the Emperor of the injustice he had suffered, and demanded to be allowed to dispute with his enemies in the presence of the Emperor, and before judges appointed by him. Six senators were nominated as judges, and Basil of Ancyra, afterwards head of the Semi-Arians, was first chosen to dispute. Notaries had to write down carefully all the speeches for and against, and three copies of the protocol, now unhappily altogether lost, were drawn up. By reason of the sophistries of Photinus, the dispute was long and obstinate, but Basil was invariably victorious, so that the Emperor drove Photinus from Sirmium into exile.[4] Soon afterwards, the Synod of Milan in 355 again pronounced the anathema upon Photinus.[5] Under Julian the

[1] Plainly against Marcellus and Photinus; cf. above, pp. 31, 187.

[2] Soc. ii. 29; Sozom. iv. 6.

[3] Concerning the literature of the question, cf. above, p. 188, and Walch, *Ketzergesch.* vol. iii. p. 52 sqq.; also Fuchs, *l.c.* p. 187, where in particular a short account is given of two striking treatises of an Italian scholar, Josaphat Massari (1778 and 1779), on the Synod of Sirmium against Photinus, and that of Ariminum.

[4] Soc. ii. 30; Sozom. iv. 6; Epiphan. *Hær.* 71, c. 1 sqq.

[5] Mansi, t. iii. pp. 236, 631.

Apostate he appears to have been recalled with other bishops, but to have been once more banished by the Emperor Valentinian.[1] He died in exile about 366, and even after his death anathema upon his erroneous doctrine[2] was pronounced by several Synods, especially by that of Rome under Damasus in 375, and by the Second General Council.

Sec. 73. *Death of the Emperor Constans. Pope Liberius.*

If we turn back to the year 351, we must especially lament the injurious influence which the early death of the Emperor Constans exercised upon the fate of the Nicene doctrine and that of its defenders. If, as Socrates[3] maintains, the Eusebians had already, immediately after the recall of Athanasius, and even before he again returned to Alexandria, renewed their intrigues against him, they now pursued them all the more fearlessly, especially as Athanasius deposed those clerics who were not of the Nicene belief, and appointed others, even, as they said, interfering in strange dioceses (of which he was, however, the head metropolitan). At first, indeed, their efforts were without result, for we even now possess a letter from the Emperor Constantius to Athanasius, in which, after the death of Constans, he assures him of his continued protection;[4] perhaps, as the Benedictines suppose,[5] only out of policy, in order to preserve to himself, in the then critical circumstances and times of war, the favour of this influential man, and of Egypt, which was devoted to him.

The great victory of Constantius over the usurper Magnentius, at Mursa, on the 28th September 351, was an event of no small importance for the history of the Church. Bishop Valens of Mursa was then in the train of the Emperor, and as he learned the result of the frightful battle sooner than the Emperor, who was not present in person, Valens announced it

[1] Remi Ceillier, t. iv. p. 743. [2] Cf. Walch, *Ketzerhist.* vol. iii. 63.

[3] Soc. ii. 26.

[4] The letter was originally in Latin. Two not quite accurate similar Greek translations of it are to be found in Athanas. *Apolog. ad Imp. Constantium*, c. 23, and *Hist. Arian. ad Monachos*, c. 24. This letter is also mentioned in the preface to the newly-discovered *Festal Letters of S. Athanasius*, in Larsow, *l.c.* p. 33, No. xxii. [5] In the *Vita S. Athanas.* p. 52, ed. Patav.

to him, asserting that an angel had brought him the news, and from that time he stood in high favour with the Emperor.[1]

About this time Valens and Ursacius, incited by the Arianizing Bishop Leontius Castratus of Antioch,[2] again returned to anti-Nicene views, making their fear of the Emperor Constans the excuse for their former step.[3] They and Leontius were joined by Bishop George of Laodicea, Acacius of Cæsarea in Palestine, Theodore of Heraclea, and Narcissus of Neronias, the heads of the Semi-Arian party, and together they induced the Emperor again to become the patron of the anti-Nicene doctrine. Constantius consented to this after the battle of Mursa, just when he was preparing for a fresh expedition against Magnentius, and commissioned the bishops just mentioned to educate the mind of the public in this direction; and in the spring of 352 he arrived with these changed views in Rome, to carry on the war against Magnentius, who had just escaped from Italy.[4] Just at that time S. Athanasius and the Nicene faith lost one of their strongest supporters, for Pope Julius I. died on the 12th April 352, and was succeeded by Liberius on the 22d May 352. A fragment in Hilary contains a letter of this Pope, beginning with the words, *Studens paci*,[5] according to which the Eastern bishops had, even during the lifetime of Pope Julius, brought forward fresh complaints against Athanasius; for which reason Liberius, immediately upon coming into office, had sent ambassadors to Alexandria to require Athanasius to answer for himself at Rome, failing which he would be put out of the Church. As Athanasius refused to appear, Liberius declared in this letter that from that time he would no more hold communion with him, but with the Eastern bishops, *i.e.* the Eusebians. But this letter is decidedly not genuine, as Baronius, and the Benedictine editors in their edition of the works of S. Hilary, have proved, as have I also in the *Tübingen Review* of 1853,[6] and for the following reasons :—

[1] Thus relates Sulpic. Sever. *Hist. Sacra*, lib. ii. p. 345, in the sixth volume of the *Bibl. Max. PP.* Lugd. 1677. Cf. pp. 52 et 53 of the *Vita S. Athanasii* in vol. i. of the Benedictine edition. [2] Concerning Leontius, cf. above, p. 182.
[3] Athanas. *Hist. Arian. ad Monachos.* [4] *Ibid.* c. 30, 31.
[5] In Hilar. *Fragm.* iv. p. 1327, and Mansi, t. iii. p. 208.
[6] *Tübing. Theol. Quartalschrift*, p. 263 sq.

(1.) In the very earliest days of his pontificate, Liberius displayed, as we shall see, great zeal for Athanasius and the Nicene cause. (2.) Athanasius himself nowhere gives the slightest intimation that Liberius had ever before his exile broken off communion with him. He even expressly says that it was only after his exile that Liberius had allowed himself to be led away by threats, whereas before he had been quite firm, and had given very good answers to the Imperial eunuch Eusebius, who was sent to him to mislead him.[1] (3.) Liberius expressly explained to this Imperial ambassador that he could not possibly condemn Athanasius,[2] whom two Synods had already pronounced innocent, who had been left in peace by the Roman Church, and whom he himself, moreover, had loved when he was in Rome, and received into communion, that is, as a cleric under Julius. Now Liberius could certainly not have said this if he had ever himself already renounced communion with Athanasius. (4.) Liberius was further accused by the enemies of Athanasius of having suppressed letters of complaint against him which were sent in (as appears from the context, in the beginning of his pontificate), and to this he replied that he had read the letters, and communicated them to his Synod, but that many more bishops had declared for Athanasius than against him.[3] Finally, the Arians at that time circulated several false letters, as Athanasius showed,[4] and one of them was read at the Synod of Sardica.[5]

When Athanasius perceived the storm approaching him, he sent several bishops, among them Serapion of Thmuis, renowned for his piety, as ambassadors to the Emperor Constantius, to meet the charges brought against him. But this produced no result.[6]

Soon afterwards, in August 353, after the desertion of his army, and when the cry of "Long live Constantius" had resounded, the usurper Magnentius threw himself upon his own

[1] Cf. the whole account of Athanasius in his *Hist. ad Monachos*, c. 35 sqq. See below, p. 211.

[2] Athanas. *Hist. Arian. ad Monach.* c. 36.

[3] Hilar. *Fragm.* v. n. 2, p. 1330.

[4] Athanas. *Apol. ad Const. Imp.* c. 6, 11, 19.

[5] Cf. Hilar. *Fragm.* ii. n. 3, p. 1285.

[6] Sozom. iv. 9; *Vita Athanas.* p. 54, in vol. i. of the Benedictine edition.

sword at Lyons, after first killing his nearest relations in order to save them from the Emperor's revenge. Constantius was now sole ruler of the great united empire of his father,[1] and from that time his intention of making the Arian faith the reigning one, and of suppressing the *Homoüsion*, which was alleged to embody Sabellian tendencies, showed itself daily more plainly. Besides the Court bishops, no small part in this matter was taken by his last wife Eusebia, whom he had shortly before married, about new year 353, and whom until her death, in 360, he held in the highest honour. She, too, was a zealous Arian, so that Pope Liberius returned the money which she sent to him to distribute, saying that she might make the Arian bishops the administrators of her alms.[2] Her influence in favour of the heresy is as little to be doubted as that formerly exercised by other princesses, *i.e.* Constantia, and the mother of Julian the Apostate;[3] and Athanasius expressly says that women had exerted great influence on the Arian side.[4]

Athanasius was now, of course, to be once more put down, and a peculiarly dishonourable plan was devised with this view. A spurious letter was given to the Emperor, alleged to have been written by Athanasius, in which he asked permission to come to the Court, where it was naturally thought it would be easier to gain the mastery over him than in Alexandria, where he stood in such high favour. Constantius agreed to the alleged request, and sent his written answer in the affirmative by the official of the palace, Montanus, to Alexandria, towards the end of 353. Athanasius at once saw through the deception, and answered that "if the Emperor expressly commanded it, he would appear, but that he had not made this request." He therefore remained in Alexandria, and his enemies lost no time in declaring this to be a capital offence.[5] An opportunity immediately offered for a further attack. The churches of Alexandria had for a considerable

[1] He was so rejoiced at this victory that he assumed the title of αἰώνιος βασιλεύς, of which Athanasius and other Fathers of the Church ironically remarked, "The Arians call a man eternal, while they refuse this title to the Son of God." Cf. Athanas. *De Synodis*, c. 3.

[2] Theodoret, ii. 11.

[3] Athanas. *Hist. Arian. ad Monachos*, c. 5. Cf. above, pp. 5, 9, 11.

[4] *Ibid.* c. 6.

[5] Athanas. *Apol. ad Const. Imp.* c. 19 sqq.

time past been too small, and therefore, about ten years before, the Arian pseudo-Bishop Gregory had begun to transform the temple of Hadrian into a church. The building was not yet quite completed, and the church still unconsecrated; but at Easter, at the request of the people, Athanasius held divine service in it, because on the preceding days the regular cathedral had been so overcrowded, that many were wounded in the crush. The Arians now played the part of rigorists, and complained to the Emperor of the crime of having held divine service in an unconsecrated church.[1] To this they added two further grounds of complaint, *i.e.* that Athanasius had always excited the Emperor Constans against his brother;[2] and also that, at the beginning of the usurpation of Magnentius, he had sent him a respectful letter in order to win his favour.[3]

These fresh attacks upon Athanasius were communicated to Pope Liberius as well as to the Emperor; but the friends of the accused also again came forward, and sent eighty bishops with a fresh letter in his defence to Rome.[4] Liberius therefore deemed it necessary to call a great council[5] after having, as it appears, before held a Roman Synod,[6] and at first he received from the Emperor the consent he had requested.[7]

Meanwhile, after the death of Magnentius, Constantius had taken up his abode for some time at Arles, in Gaul (from October 353 till the spring of 354); and the Pope now sent ambassadors to him, requesting that, as peace was restored in the State, he should call the promised council at Aquileia for the restoration of peace in the Church also. At the head of the Papal embassy stood Bishop Vincent of Capua, who had before, as priest, with Hosius, held the presidency at Nicæa, and Bishop Marcellus of Campania was associated with him.[8] Both bishops had to deliver to the Emperor those letters for and against Athanasius which had been sent to Rome.[9]

[1] Athanas. *Apol. ad Const. Imp.* c. 14 sqq. Cf. p. 179, n. 1.
[2] *Ibid.* c. 2 sqq.
[3] *Ibid.* c. 6 sqq.
[4] Hilar. *Fragm.* v. 2, p. 1330.
[5] *Ibid. Fragm.* v. 1, p. 1330.
[6] *Ibid.*
[7] Cf. the letter of Liberius to Hosius, in Hilar. *Fragm.* vi. p. 1334, and in Mansi, t. iii. p. 200.
[8] Mansi, t. iii. p. 200; Hilar. *l.c.* 1335, 3.
[9] Hilar. *l.c.* p. 1331, n. 2.

Sec. 74. *Synods of Arles in* 353, *and Milan in* 355.

The ambassadors of the Pope arrived at Arles, but did not obtain the Emperor's consent for the Synod of Aquileia ;[1] on the contrary, he arranged one at Arles,[2] and laid before the bishops there assembled a decree condemning Athanasius,[3] and which was probably the work of Valens and Ursacius, who were the heads and leaders of this Synod of Arles, as well as of the Emperor himself. The Papal ambassadors and other orthodox bishops represented that the faith should surely be first discussed before they were compelled to sign, and not the verdict first pronounced upon the person, and then upon the cause. But Bishop Valens and his friends would not enter into any fresh dogmatic investigation.[4] The Papal legates, as they said, for the sake of peace, forthwith made this fresh proposal: that they would sign the judgment upon Athanasius, if, at the same time, an anathema was also pronounced upon the Arian heresy. This was promised, and the Synod began ; but Valens and his adherents, the Arianizing majority, soon declared it impossible for them to consent to this point, but still insisted upon the condemnation of Athanasius;[5] and Constantius, by threats and no little force, extorted the signatures from all the orthodox bishops, including the Papal legates.[6] Only Paulinus of Trèves remained firm, and was therefore banished to Phrygia, where he was compelled to live entirely among Montanists.[7] Liberius, however, was so distressed at the fall of his legates, especially Vincent,[8] that he wrote to Hosius: "*Duplici affectus moerore, mihi moriendum magis pro Deo decrevi,*

[1] Mansi, t. iii. p. 200 ; Hilar. *Fragm.* vi. p. 1335, 3.

[2] Cf. Hilar. *ad Constant. August.* lib. i. p. 1222, n. 8, and *Fragm.* i. p. 1282, n. 6. The acts of this Synod have not come down to us.

[3] Sulpic. Sever. *Hist. Sacra*, lib. ii. p. 346, in vol. vi. of the *Biblioth. Max. PP.* Lugd. 1677.

[4] Sulpic. Sever. *l.c.*

[5] Hilar. *Fragm.* v. p. 1332, n. 5.

[6] Athanas. *Apol. ad Imp. Const.* c. 27.

[7] Hilar. *Contra Const. Imper.* p. 1246.

[8] Vincent rose later again to great authority in the Church. Cf. Theodoret, *Hist. Eccl.* ii. 22. [He is probably the same priest who was one of the Pope's representatives at the Council of Nice, and he had on many subsequent occasions shown great constancy in maintaining the orthodox faith. He happily retrieved his character at the heretical Synod of Rimini in 359.]

ne videver novissimus delator, aut sententiis contra Evangelium commodare consensum."[1] And that no one should believe that he sanctioned the step taken by his emissaries, he not only wrote to Hosius, but also sent similar letters to other Western bishops.[2] The situation of the Italian bishops especially was a dangerous one at that time, for the Emperor required of them all to renounce communion with Athanasius. Many lost courage, when Lucifer, bishop of Cagliari, in Sardinia, stood up, and showed that the attack upon Athanasius was nothing less than a persecution of the Nicene doctrine, and offered himself as Papal ambassador to go to the Court, to bring the Emperor, if possible, to a better mind. Liberius gladly accepted his offer,[3] and gave him the priest Pancratius and the deacon Hilary as his companions, and sent them with a very plain-spoken and dignified letter to the Emperor, in which he justifies his former conduct, and shows why he could not hold communion with the Eusebians, criticising skilfully and earnestly the events at Arles, and urgently begging him to delay holding another Synod.[4] It is the very letter from which we obtained half our information concerning the Synod of Arles. At the same time, Liberius also wrote to the highly-esteemed Bishop Eusebius of Vercelli, and prayed him also to join the embassage, and use his influence for securing favourable decisions from the Emperor.[5] Eusebius at once acceded to this wish, and Liberius therefore addressed another letter to him, thanking, and at the same time informing him that he had also invited the Bishop Fortunatian of Aquileia to take part in the embassage.[6] He praised the latter highly; but the result showed that in the hour of danger at Milan, Fortunatian did not stand firm.

Liberius expected great advantage from the calling of a new Western Synod, and was certainly therefore much pleased when the Emperor, at the request of the Papal embassy, called a Synod for the year 355 at Milan, where he was just then staying. But Liberius was soon to be bitterly dis-

[1] Hilar. *Fragm.* vi. p. 1335, 3; Mansi, t. iii. p. 200.
[2] For instance, Cæcilian of Spoleto, Mansi, t. iii. p. 201.
[3] See the letter from Liberius to Eusebius of Vercelli, in Mansi, t. iii. p. 204.
[4] Hilar. *Fragm.* v. pp. 1329–1333.
[5] Cf. his two letters to Eusebius, in Mansi, t. iii. pp. 204, 205.
[6] Mansi, t. iii. pp. 205, 206.

appointed, for the friends of Arianism also desired such a Synod,[1] in the full expectation, through the countenance of the Emperor, of being victorious in the hitherto undivided West, and of inducing the bishops in great numbers to join in the rejection of S. Athanasius.

More than three hundred Western, but very few Eastern, bishops assembled at Milan, as the journey was too long for them.[2] Some of the most important Western bishops, however, would not appear, because they foresaw from the first the sad result, as for instance Eusebius of Vercelli,[3] although he himself the year before had worked upon the Emperor to induce him to call the Synod. But neither the Orthodox nor the Arian party would allow this celebrated man to be absent from Milan; and accordingly not only did the Emperor and the Papal legates send written petitions to him,[4] but the Synod also despatched an embassage to Vercelli, to obtain the bishop's consent to their proceedings. The names of the Synodal ambassadors, Eustomius, or Eudoxius, and Germinius, as well as the contents of the letters entrusted to them, show that the Arian party was then dominant in Milan, for Eusebius was there plainly told that he was expected to pronounce the anathema upon the "*sacrilegus Athanasius.*"[5]

In spite of this bad prognostic Eusebius repaired to Milan, probably only because the Papal legates had so urgently implored him to do so. Their letter before mentioned, from the pen of Lucifer, quite shows his fiery and hasty character. He hoped that the arrival of Eusebius would drive away Valens, and ruin all the hopes of the blasphemous Arians.[6]

In strong contrast to the longing of the Synod for Eusebius, is that which followed immediately after his arrival in Milan. Throughout the first ten days he was not allowed to take any part in the assembly, probably because just then the means for the deposition of Athanasius were under discussion, and they did not want to have Eusebius present as a witness.[7]

[1] Theodoret, *Hist. Eccl.* ii. p. 15. [2] Socrat. ii. p. 36; Sozom. iv. p. 9.
[3] Probably also Hilary; see below, p. 209, note 4.
[4] Printed in Mansi, t. iii. p. 237. [5] Mansi, t. iii. p. 236.
[6] Mansi, t. iii. p. 237.
[7] Hilar. lib. i. *ad Const. August.* p. 1222 sq., note 8.

At last they invited him to appear at their sittings in the church, and with him came the three Papal legates. They demanded that he should sign the condemnation of Athanasius. He replied that they must first treat of the faith, for he knew that several of those present were tainted with heresy, and proposed that the Nicene formula, a copy of which he produced at the same time, should first of all be signed, for then only could he act in accordance with their wishes with regard to Athanasius.[1] The Benedictine editors are of opinion that there was more of cunning than of real design in this; that he foresaw that all would not sign the Nicene formula, and that he intended in this way to evade their wishes.[2] However this may be, Bishop Dionysius of Milan, one of the Orthodox, was the first to come forward, and he was about to sign the Nicene formula, but Valens took the pen and paper by force out of his hand, and exclaimed: "Such a thing shall not be done." As this took place openly in the church, it soon became generally known, and the fact of the bishops in synod fighting against the true faith occasioned much astonishment, sorrow, and indignation among the populace of Milan, who were almost all orthodox. The heads of the Arian party therefore thought it well from henceforth to transfer the sittings to the Imperial palace, that they might carry out their plans undisturbed.[3]

Sulpicius Severus relates that after this removal they circulated an edict in an Arian sense from the Imperial palace, signed by Constantius, in order to sound public opinion. Should it be ill received, the burden would, they thought, fall upon the Emperor, who was only a catechumen. Should no objection be raised, however, the Synod might itself venture on something of the sort. This edict was forthwith published in Milan, but was most emphatically disapproved by the people; notwithstanding which, Constantius kept to his intention of carrying out the condemnation of Athanasius, summoned the heads of the orthodox party, and demanded their signature.

[1] Hilar. *l.c.* p. 1223.

[2] *Vita S. Athanas.* In the first volume of his *Opp.* p. lvii. ed. Patav.

[3] Hilary, *l.c.* p. 1223 sq.; Athanas. *Hist. Arian. ad Monachos*, c. 76; Sulpic. Severus, *l.c.* p. 346.

Upon their declaring that this was against the canon of the Church, he replied imperiously: "My will is the canon," and appealed to the Syrian bishops, who were of the same mind. Whoever did not sign was to expect banishment. At this the orthodox bishops lifted their hands beseechingly towards heaven, and prayed the Emperor "to fear God, who had given him the dominion, that it might not be taken from him; also to fear the day of judgment, and not to confound the secular power with the law of the Church, nor to introduce into the Church the Arian heresy." This so angered the Emperor that he at first threatened them with death, but afterwards passed sentence of banishment on them.[1]

Lucifer adds to the above account, that he at that time declared in the Imperial palace that the Nicene faith had always been held fast in the Church, and that all the soldiers of the Emperor could not force him to give his consent to this godless decree.[2] Athanasius supplements this in another place by saying, that Lucifer, Eusebius of Vercelli, and Dionysius of Milan,[3] held, in opposition to the attacks of Valens and his adherents upon Athanasius, that these accusers were in the highest decree unreliable, as Valens and Ursacius had themselves shortly before declared the charges brought against Athanasius to be false, and had sought communion with him, from which they had, however, afterwards fallen away. Then the Emperor, who himself presided at the assemblies in his palace, stood forth, and declared that "he himself was now the accuser of Athanasius, and that, on his word, Valens and the others must be believed." But neither could this intimidate the orthodox speakers, and they replied with courage and dignity: "How can you, who did not witness the incidents which form the grounds of the complaint, be his accuser, he being himself absent? In secular courts, the authority of the Emperor may indeed decide, but not where a bishop is

[1] Athanas. *Hist. Arian. ad Monachos*, c. 33, 34.

[2] Lucifer, in libro: *Moriendum esse pro Dei Filio*, in vol. iv. of the *Biblioth. Max. PP.* Lugd. p. 243 b.

[3] In reckoning up the confessors of the Councils of Arles and Milan, he mentions also Bishop Paul of Trèves. Cf. Tillemont, t. vi. n. 40, *Sur les Ariens*, p. 334 b.

concerned, and where the accused must have as good a case as the accuser."[1]

Notwithstanding all his threats of death and exile, Constantius maintained that he only desired to restore peace, and that for this reason the orthodox bishops should now enter into communion with the Arians.[2] His violence did indeed result in all present, intimidated by such strong measures, and fearing the grossest ill-treatment, at last signing.[3] Only Eusebius of Vercelli, Dionysius of Milan, Lucifer of Cagliari, and the two other Roman deputies stood firm, and refused to agree to any condemnation whatsoever of Athanasius.[4] For this they were exiled, and the deacon Hilary was also first beaten with rods.[5] They were taken, bound with chains, to distant provinces; but the further they went the greater became the sympathy of the people, and their abhorrence of the impious heretics.[6] Pope Liberius also soon cheered them by a very friendly letter, in which he at the same time asked for accurate information concerning the Synod of Milan.[7]

[1] Athanas. *Hist. Arian. ad Monachos*, c. 76.

[2] Lucifer. Calar., *De non Conveniendo cum Hæreticis*, p. 222 sq. in vol. iv. of the *Bibl. Max. PP.* Lugd. 1677.

[3] Tillemont (t. vi. art. 51, *Les Ariens*, p. 155 *b*) maintains, that at the Synod of Milan the Eusebians had for the first time openly declared for the Arian dogma, while before they had only made use of ambiguous formulas. Schrockh (part vi. p. 100), however, remarks that this cannot be maintained with any degree of certainty, as we no longer possess the dogmatic letter of the Emperor to which the signatures were demanded. It is only so far correct that the Eusebians decidedly made common cause with the whole body of Arians against Athanasius and the Nicene faith; but that they now changed their dogmatic position of semi-Arianism for thoroughgoing Arian views is improbable, in view of the conflicts which shortly followed between Arians and Semi-Arians.

[4] It appears that Hilary of Poitiers was not present at the Synod of Milan. Cf. *Vita S. Hilarii* in the Benedictine edition of his works, p. xci.

[5] Lucifer was banished to Germanicia in Syria, Eusebius to Scythopolis in Palestine, Dionysius to Cappadocia in Syria, where he was placed under the control of the Arian bishops.

[6] Athanas. *Hist. Arian. ad Monachos*, c. 33, 34, 41; Rufinus (*Hist. Eccl.* i. 20) also places bishop Rhodanius of Toulouse among the exiles, but his banishment seems to belong to another time. Cf. Tillemont, t. vi. note 43, *Sur les Ariens*. Many inaccuracies with regard to the Synod of Milan are contained in an ancient short biography of Eusebius of Vercelli in Ughelli, *Ital. Sacr.* t. iv. p. 758 sqq.; it is better given in Mansi, t. iii. p. 247.

[7] Hilar. *Fragm.* vi. p. 1333.

Among those who proved so unstable at Milan, was that Bishop Fortunatian of Aquileia, of whom, as we have seen, Liberius had great hopes, and who not only fell himself, but, as S. Jerome relates,[1] was later on the cause of the weakness of Liberius. After the banishment of Bishop Dionysius, the See of Milan, in accordance with the wishes of the Arians, was conferred upon their colleague Auxentius, by birth a Cappadocian, who did not even understand the language (Latin) of his new diocese, and who was expressly summoned from Cappadocia to be made bishop of Milan. He had already served in the ministry under his countryman, the Arian pseudo-Bishop Gregory of Alexandria, and proved from henceforth a cunning as well as violent enemy of the Orthodox. Probably the Sees of Vercelli and Cagliari were now also given over to the Arians.[2]

Sec. 75. *Deposition of Athanasius, Hosius, and Liberius.*

The Synod of Milan had become, as we see, a prelude to the famous Robber Synod, but the persecution was still by no means at an end; on the contrary, all the other Western bishops, like their colleagues at Milan, were to be forced to sign, and the whole West compelled to hold communion with the Arians. An order was now sent to the prefect at Alexandria to deprive Athanasius of the official revenue he, in common with the other bishops, had hitherto received, and to give it to the Arians. At the same time, all those in public offices were bidden to hold communion, not with him, but with the Arians, and in future to give credit to the accusations against him and his friends. Notaries and servants of the palace were sent into the provinces with threats to the bishops and officials; and the latter, as well as the magistrates of the various towns, were commissioned to offer the bishops the alternative either of communion with the Arians or of exile. The flocks also which adhered to them were disquieted and visited with all kinds of punishment, so that many fled to escape persecution as followers of their bishop. And, in order

[1] Jerome, *De Viris Illust.* c. 97.

[2] Tillemont, *l.c.* t. vi. art. 51 in the treatise *Les Ariens*, p. 156 *a*, ed. Brux.

that these commands might be strictly carried out, men were set over the public officials to watch and exhort them. Thus, while heretics of all kinds remained undisturbed, a general campaign was opened against the orthodox Church, and every place and town was filled with terror and confusion.[1]

The Arians knew how to use still further means to gain their end. Under the most diverse pretexts, many bishops were now ordered to the Court, where some were detained by the Emperor and terrified with threats until they promised to renounce all communion with Athanasius,[2] while others were not even admitted to his presence. Many showed their weakness, but many remained firm, and were punished with exile.[3] But though many proved weak, yet Constantius with all his power could only extort the outward observance of his command, namely the signature against Athanasius, and actual communion with the Arians. In heart, the Western episcopate never became Arian, and still less the people. On the contrary, Athanasius says they all abhorred the heresy into which they were forced, as they would a poisonous serpent.[4]

From the beginning, the great object of the Arians had been to gain Pope Liberius, and the renowned Bishop Hosius, in the hope that, if these were won over, the victory would be achieved over all. Constantius now sent the eunuch Eusebius, one of his most confidential advisers,[5] and a zealous Arian, to Rome, to Pope Liberius, to demand of him two things,—that he should subscribe the condemnation of Athanasius, and communicate with the Arians; the former was the Emperor's wish, the latter his command. Presents and threats were to be alike employed to induce the Pope to yield. Liberius replied that he could not possibly repudiate Athanasius; that a free Synod ought to be held, not in the Imperial palace or ruled by the Emperor in person, where the Nicene faith should be re-affirmed, the Arians excluded, and the charges against Athanasius investigated. Eusebius, enraged at this, packed up the presents which he had brought from the

[1] Athanas. *Hist. Arian. ad Monachos*, c. 31.
[2] Athanas. *l.c.* c. 32. [3] *Ibid.* c. 42. [4] *Ibid.* c. 41.
[5] Concerning the influence of the eunuch upon Constantius, cf. Athanas. *l.c. c.* 37.

Emperor, and which Liberius refused to accept, and departed with threats. The presents he then deposited in the Church of S. Peter, but the Pope blamed the person in charge of the church for allowing this, and sent the presents back again. As soon as Eusebius had given his report to the Emperor, the Prefect of Rome was commissioned to convey the Pope to the Court, or else to employ force against him. Universal terror now took possession of the city of Rome; the adherents of Liberius were persecuted, and attempts were made to bribe many to rise against him. The bishops who were then in Rome hid themselves, many honourable women fled, numbers of ecclesiastics were driven away, and watches appointed to prevent any one visiting the Pope. Liberius was brought to the Court, and set before the Emperor, in answer to whom he spoke with noble candour.[1] For this he was punished with exile, and banished to Bercea in Thrace,[2] where he had no friends or companions in misfortune; for by this isolation the Emperor intended to increase his punishment,[3] and perhaps also hoped thus the more easily to weaken his purpose. The Episcopal See of Rome was now, at the desire of the Emperor, occupied by the former deacon, Felix, with whom, however, no one would enter into communion, so that his churches were entirely empty.[4]

Hosius had been a bishop more than sixty years, and was an aged man of nearly an hundred, and as long as he remained true to Athanasius and the Nicene faith, it seemed to the Arians that they had gained nothing; for many Spanish bishops

[1] Athanas. *Hist. Arian. ad Monachos*, c. 35–39. His speech, recorded by others, is given by Theodoret, *Hist. Eccl.* ii. 16.

[2] Theodoret, *l.c.* ii. p. 16.

[3] Athanas. *Hist. Arian. ad Monachos*, c. 40.

[4] Sozom. lib. iv. 11; Athanas. *l.c.* c. 75; Tillemont, *l.c.* t. vi. p. 165, ed. Brux. Concerning Pope Felix, cf. Bower, *History of the Popes* by Rambach, vol. i. pp. 209, 220 sqq., and *Diss.* xxxii. art. iii. of Natalis Alexander, in his *Hist. Eccl.* sec. iv., against which Roncaglia, in an appended criticism, tries to prove Felix the rightful Pope, Liberius having resigned. Pagi had already maintained the same (*Critica in Annal. Baron.* ad ann. 355, n. 3, and ann. 357, No. 16 sqq.), on the ground that Felix's name appears in the office-books, not only as a legitimate Pope but as a saint, because Constantius, whom he had called a heretic, had him put to death. He is commemorated on July 29. It is certain that Athanasius says Felix was raised to the episcopal chair by anti-Christian wickedness. Cf. Athan. *Hist. Arian. ad Monachos*, c. 75.

were guided by his example. This they represented to the Emperor, who, about the time of his persecution of Pope Liberius, also summoned the aged Hosius to the Court. The same two demands were made of him as of Liberius, that he should renounce communion with Athanasius and communicate with the Arians. Hosius, however, made such an impression upon the Emperor, that he allowed him again to return home. But at fresh suggestions from the Arians, Constantius wrote again somewhat later to Hosius, uniting flatteries with threats, and representing to him that he would surely not be the only one who refused to conform. Hosius replied by a most courageous letter, which is preserved by Athanasius, upon which he was banished to Sirmium in 355.[1]

The deposition of Athanasius seemed more difficult. The attacks upon him had indeed, as we have seen, begun long before, but no one dared to lay violent hands upon him in Alexandria itself, for fear of the people; they therefore tried to lure him out of the city; for they had something worse than banishment, apparently his death, in view.[2] Constantius now sent two notaries, Diogenes[3] and Hilary, and some servants of the palace to Alexandria; and the Governor of Egypt, Syrianus, requested Athanasius, in the name of the Emperor, to leave the city. The bishop replied that Syrianus, or the Prefect of Egypt, Maximus, should produce the original of the Imperial letter, and the community made the same request, adding that if this could not be done, they ought at least to postpone all further disturbance of the Alexandrian Church until the embassy which they intended to send to the Emperor had returned. Syrianus promised this on the 17th January 356; but as early as the 9th February, during a service held at night, he caused the church of S. Theonas to be surrounded by more than 5000 soldiers. The doors were broken open, and his troops poured in to arrest Athanasius, whereby not a few lives were lost and many persons were wounded. Athanasius, during this scene, seated on his episcopal throne, exhorted the

[1] Athanas. *Hist. Arian. ad Monachos*, c. 42, 45.

[2] Athanas. *Apol. de Fuga sua*, c. 6.

[3] Also mentioned in the preface to the newly-discovered *Festal Letters of S. Athanasius*, in Larsow, *l.c.* p. 35, No. xxvii.

people to pray, and would not move from his place. Some of his friends, however, forced him from his seat, and dragged him, half stifled, out of the throng, while his enemies still sought for him in the church and perpetrated various cruelties.[1]

The Emperor not only approved what had been done, but also commanded all the youth of Alexandria, under pain of his anger, to search for the fugitive Athanasius; and his new governor, Heraclius, then sent to Alexandria, employed the services of the heathen inhabitants of that city to seize the churches of the orthodox, and to assist in all the outrages inflicted upon them. In order to find Athanasius, all houses, gardens, and tombs were searched, and in doing so all kinds of extortions, plunders, and the like, were practised upon the proprietors as adherents of the persecuted. Whoever of the ecclesiastics did not fly was grossly ill used and exiled—some, indeed, even killed. Even the poor and widows were deprived of their alms, and the orthodox who desired to help them were thrown into dungeons, in order to force the needy to accept Arianism; hard-heartedness which even roused the indignation of the heathen.[2]

Where Athanasius first took refuge cannot be certainly known, as the history of Palladius plainly contains false statements on this subject.[3] It appears from the letters that he wrote to his flock to support them in this time of trouble that he was afterwards in the desert, and even there frequently changed his abode. From thence he also wrote to all the bishops of Egypt and Libya,[4] when an Arian formula had been sent to them for signature under pain of exile.

The See of Athanasius was now obtained by an Arian, George, a Cappadocian, like the former pseudo-Bishop Gregory, an uneducated, extravagant, and covetous man,[5] who now,

[1] This event is treated of in the preface before mentioned, in Larsow, *l.c.* p. 35, No. xxviii.

[2] *Vita Athan.* in vol. i. of the Benedictine edition, pp. lxv. lxvii. ed. Patav.

[3] *l.c.* p. lxvi. no. 10.

[4] This letter bears the title of *Epistola ad Episcopos Ægypti et Libyæ*, and is printed t. i. P. i. p. 213 of the *Opp.* S. Athanas.

[5] Athanas. *Hist. Arian. ad Monachos.* Also, Anomianus Marcellinus, the heathen historian, compares this George to a viper (*Hist.* lib. xxii. c. 11).

before Easter 357,[1] entered with an armed force into his church as if it were a fortress.[2] The persecution and ill-treatment of the orthodox continued; they were not even allowed to hold their services in the cemeteries, and such like places (their churches having been taken from them), and when they persisted in doing so they were overpowered by force of arms, and brutal violence was employed against the defenceless. Several maidens, for instance, were bound to a burning stake to compel them to acknowledge the Arian faith; and when they still stood firm, they were violently struck in the face, and afterwards transported to the great Oasis. The same fate befell forty men, after they had first been inhumanly beaten with thorny sticks; and those who died under such ill-treatment were not even allowed honourable burial.[3]

The like took place in other towns of Egypt, and all bishops who did not forsake Athanasius, and at least ostensibly hold communion with the Arians, were driven away. A great many, some very aged men, remained firm, and though ill and feeble, they were dragged to the desert. Not a few saved themselves by flight. The convents of the Orthodox were destroyed, and the vacant Episcopal Sees were sold by the Arians for money to the worst people.[4]

Athanasius would not believe that all these cruelties were wrought with the knowledge and consent of the Emperor, and he resolved therefore himself to go to him, and to make a circumstantial defence. On the journey, however, he was convinced of the danger he would thus incur—Constantius had even put a price upon his head—and he therefore returned to his desert.[5] The preface to his newly discovered *Festal Letters*[6] tells us that after this he again remained hidden for a considerable time in Alexandria, where he was vainly sought

[1] On the 30th Mechir = 24th February 357, as says the preface in Larsow, *l.c.* p. 36, No. xxix.

[2] The Alexandrians indeed drove him away some time after, but he was very shortly restored by violence, and the city severely punished, Athan. *De Synodis*, c. 37; Sozom. iv. 10.

[3] *Vita S. Athanas. l.c.* p. lxix. n. 16, 17; Athanas. *Apolog. de Fuga Sua*, c. 6, 7; *Hist. Arian.*

[4] *Vita S. Athan. l.c.* p. lxix. n. 19, 20, 21; Athan. *De Fuga Sua*, c. 7; *Hist. Arian. ad Monachos.*

[5] Theodoret, lib. ii. c. 14. [6] Larsow, *l.c.* 36, No. xxx. p. 37, No. xxxii.

for by his enemies. But his intended defence, with later additions, has come down to us under the title of *Apologia ad Imperatorem Constantium.*[1]

Sec. 76. *Synod of Biterræ in* 356.

While these events were taking place in Egypt, Gaul, although not yet politically at peace, was also visited by the Arian persecution. Immediately after the banishment of Lucifer of Cagliari, Eusebius of Vercelli, and others, S. Hilary of Poitiers (the Athanasius of the West), with a large number of Gallican bishops, had published an edict pronouncing excommunication upon Valens, Ursacius, and Saturninus, Archbishop of Arles, as the real originators of the new persecution, and recalling those led away by them. At the same time, in 355, Hilary wrote his first book, addressed to the Emperor,[2] praying him, with tears, to put an end to the persecution of the Catholic Church. It appears that other bishops also signed this document. Hilary was now all the more hated and feared by the Arians, and especially Saturninus, who, in union with Valens and Ursacius, now made arrangements for the Synod of Biterræ (Beziers), which was held under his presidency, in the early part of the year 356. Hilary, as well as other orthodox bishops, was compelled to appear (the particulars are not known), and did his utmost to uphold the sentence of Sardica with regard to Athanasius and others. As there were no reasons producible against him, he was first, as it appears, falsely accused before the Emperor Julian (afterwards the Apostate), then in Gaul, and then before the Emperor himself, of want of political fidelity, and on this account banished by Constantius to Phrygia. Great numbers of the Gallican bishops, however, remained stedfast in their communion with Hilary, and held in abhorrence communion with Saturninus;[3] but the peculiar circumstances of the country seemed to render it unadvisable to employ the same violence as in Egypt.[4]

[1] Printed in t. i. P. i. p. 234 sqq. of the works of S. Athanas. ed. Patav.

[2] Lib. i. *Ad Constantium Augustum*, p. 1218, ed. BB. Cf. Reinkens, *Hilary of Poitiers*, 1864, p. 112, 118.

[3] He was soon after also deposed at Beziers.

[4] Cf. the *Vita S. Hilarii*, *l.c.* pp. 92, 96.

The manner in which the friends of Athanasius and of the Nicene faith, both before and during their exile, were ill-treated, persecuted, and tormented in all ways,[1] is a shocking testimony to the intolerance of heresy where it predominates, and sufficiently explains the bitter expressions, certainly exceeding all bounds, applied to the Emperor Constantius, not only by the naturally hasty Lucifer, but also by Athanasius and Hilary. They repeatedly call him the forerunner of Antichrist, even Antichrist himself,[2] and compare him to Herod, Pharaoh, Saul, and Ahab. Lucifer especially calls him an *immanis fera* and an *immanis bestia*, possessing only the form and features of a man.[3]

Sec. 77. *Divisions among the Eusebians; the Anomœans and Semi-Arians.*

Humanly speaking, the Nicene faith was now almost suppressed. To accomplish this, the Arians proper had almost universally placed themselves under the banner of the Eusebians; nay, old Arianism seemed to have long ago disappeared, and no single important personage now openly declared in favour of it. On the other hand, the Eusebians had increased in numbers and power, as they embraced all those who for any reason were unfavourable to the Nicene faith, and suspicious of Athanasius. In this company were to be found orthodox bishops, who, on the one hand, adhered with all their heart to the Nicene faith, and yet on the other believed all the lies repeated a thousand times by the Eusebians, as if under the formula ὁμοούσιος many Sabellians had crept into the ranks of the Nicenes. The events in connection with Marcellus of Ancyra, and his pupil Photinus, strengthened them in this suspicion; and as the distinction between Hypostasis and Ousia had not been duly determined by the theological school, the expression ὁμοούσιος might easily be understood in the sense of personal oneness—in fact, therefore, as anti-Trinitarian. On account of such fears and misunder-

[1] Concerning this, cf. what has been already said, and also Lucifer Calar. *Moriendum esse pro Dei Filio*, p. 245, 246 in vol. iii. of *Bib. Max. PP.* Lugd. 1577; Athanas. *De Fuga*, c. 5; *Hist. Arian. ad Monach.* c. 45, 67, 68, 74.

[2] Lucifer, *l.c.* 247; Athanas. *Hist. Arian. ad Monach.* c. 30, 67, 68, 74.

[3] Lucifer, *l.c.* 244, 246.

standings, even holy bishops, such as Maximin and Cyril of Jerusalem, remained for a length of time on the Semi-Arian side. The Eusebians *in specie* formed another class of anti-Nicenes, who not only took offence at the expression ὁμοούσιος, but also at the teaching of the Church, and would not renounce the subordination of the Son; while on the other side, by anathematizing the leading points of Arianism, they repeatedly sought to remove any suspicion of Arianism from themselves. The third faction also of the great Eusebian body, the adherents of Arianism proper, had, out of worldly wisdom, hitherto agreed in this anathema, as thus only by temporary accommodation and reserve was a victory over the Nicene faith to be hoped for. The war against the Homoüsians, their common enemy, had for a time concealed this internal division among the Eusebians; but now, after their victory, it became wider than ever, and made itself apparent in new party tactics and dogmatic movements. The strict Arian view now ventured openly to the front again, and was represented principally by Aetius and Eunomius.

Aetius, hated to the utmost degree by the orthodox and Semi-Arians, and entitled ἄθεος on account of his irreligious doctrine, was a native of Cœle-Syria. He began life as a goldsmith, but found himself obliged, it is said, on account of some fraud committed by him with a gold necklace, to adopt a new mode of life, and with great zeal studied medicine and the philosophy of Aristotle at Alexandria. He soon also took part in the Arian controversies, and came into contact with several Eusebian bishops, distinguishing himself by his great logical powers and skill in argument, and about 350 was ordained deacon by Bishop Leontius Castratus of Antioch, of that city, and entrusted with ministerial office. The dissatisfaction of several members of the community, however, soon obliged the bishop to dismiss him. It is said that about this time, probably while still deacon at Antioch, Aetius placed the most important members of the Eusebian party, Basil of Ancyra, and Eustathius of Sebaste, in some embarrassment by his dialectics; so at least his admirer, Philostorgius, maintains,[1] adding that on this account these two so calumniated him to

[1] Epit. *Hist. Eccl.* lib. iii. c. 16.

Cæsar Gallus, that the latter had given orders for his execution. But, on the representation of Leontius, Gallus changed his mind, and even became a patron of Aetius, so that he allowed himself and his younger brother Julian, who had before shown a leaning towards Heathenism, to be instructed by Aetius in Christianity. Be this as it may, it is certain that Aetius afterwards again lived in Alexandria, and, after a chequered lot, died at Constantinople about 370, in the reign of the Emperor Valens.[1]

During his sojourn at Alexandria, Aetius became acquainted with Eunomius. The latter, originally from Cappadocia, had, like Aetius, in his youth embraced various modes of life, and about the year 356 went to Alexandria to become his pupil. With Aetius he entered into the closest relations, and about 360 was raised to the See of Cyzicus in Mysia, but soon lost it on account of his offensive doctrines. His later life, too, was stormy and unsettled, and ended in the year 393.[2] He was held in such high esteem by his own party, that their original title of Aetians was gradually superseded by that of Eunomians; they were also called Anomœans, Heterousiasts, and Exountions, on account of their strict Arian doctrine, that the Son was unlike God (*ἀνόμοιος*), of another essence (*ἑτέρας οὐσίας*), and created out of nothing (*ἐξ οὐκ ὄντων*). Philostorgius, a zealous follower of this sect, has written a biography of Eunomius whom he so highly esteemed, which, however, has not come down to us; but there is a great deal of information about him in the well-known abridgment of Philostorgius' *Church History*, in which the relative merits of Aetius and Eunomius are thus characterized: the former is said to have possessed the advantage of greater logical acuteness, but Eunomius the power of conveying a clearer and more intelligible representation of the matter.[3] What Theodoret says of Eunomius is significant, and applies also to Aetius, namely, that he had changed Theology into a Technology,[4] meaning that neither of them paid any respect to the

[1] We find the statements of the ancient Fathers as to his life collected in Tillemont, *l.c.* t. vi. art. 64 sq. the treatise, *Les Ariens*.

[2] We find further particulars concerning his life in Tillemont, *l.c.* art. 96 sqq.

[3] Philostorg. *Hist. Eccl.* Epit. lib. viii. c. 18.

[4] Οὗτος τὴν θεολογίαν τεχνολογίαν ἀπέφηνε. Theodoret. *Hær. Fab.* lib. iv. c. 3, p. 356, ed. Schulze.

doctrine of the Bible or of the ancient Church with regard to the Son and His relation to the Father, but sought instead, by pure dialectics, and conclusions drawn solely from reason, and by sophistical use of the terms "begotten" and "unbegotten," to strengthen their strict Subordinationism, and to oppose as illogical the Nicene as well as the Semi-Arian doctrine. How Aetius did this we still see from the theological treatise, consisting of forty-seven propositions and objections, which Epiphanius has preserved to us, as well as from his own refutation of it.[1] In the fourth, for instance, it is said: "If God remains ever Unbegotten, and the Begotten is ever Begotten, then it is all over with ὁμοούσιος and ὁμοιούσιος; for it follows from the different dignity of the two natures (the Begotten and the Unbegotten), that they are not comparable in respect of substance." And No. 7: "If the whole Godhead is not Unbegotten, then indeed God can have begotten something of His substance; but if the whole Godhead is Unbegotten, then God has experienced no division of His substance by begetting, but has made the Unbegotten by His power."[2] And No. 5: "If God as to His substance is Unbegotten, then the Begotten did not have His origin from expansion of substance, but was called into existence by power.[3] But that the same substance is at the same time Begotten and Unbegotten cannot be piously affirmed."

Aetius is said to have been the author of no less than three hundred theological treatises of this kind,[4] and his pupil Eunomius also put forth their common doctrine in various writings, letters, commentaries on the Bible, and theological treatises; but of these also only two remain, the ἔκθεσις πίστεως, which he had to give up at the command of Theodosius I. in 383, and the ἀπολογητικός, both of which

[1] Epiph. *Hær.* 76, c. 10, p. 924 sqq., ed. Patav. Col. 1682.

[2] Petavius has here, p. 925, falsely translated ἐξουσία as if it was ἐξουσίας; but at p. 943 he has given the same sentence rightly: "*Quod genuit, potestate producit.*" As here, so also in the fifth thesis of Arius in Epiphanius, we must read ἐξουσίας, not ἐξ οὐσίας (*ex substantia*), as according to the Aetian, and indeed the Arian doctrine in general, the Son proceeded not from the substance, but from the Will, the Power of the Father.

[3] Ἀλλ' ἐξουσίας ὑποστησάσης αὐτό; cf. the preceding note.

[4] Epiphan. *l.c.* p. 930.

are preserved in the eighth volume of the *Bibliotheca Græca* of Fabricius.[1] A comparison of the works which we still possess of Aetius and Eunomius shows that the above criticism of both by Philostorgius is tolerably near the truth; for the works of Eunomius are certainly much clearer and more intelligible than are the forty-seven propositions of Aetius, and give a much better insight into the whole system; on the other hand, the propositions of Aetius most completely bear the stamp of dialectically prepared theses, and are often *syllogismi cornuti*.[2] But the leading idea which they again and again labour to establish, is that it is as impossible as irreligious to maintain that the same (Divine) Being may be begotten and unbegotten at the same time. Upon this it follows, secondly, that in this very Unbegottenness, and in nothing else, consists the Being of God.[3]

The system of this school is in brief the following. The fundamental principle of the Anomœans is the abstract conception of God from which all concrete reality of the Divine Life is wholly separated. God is to them absolute Simplicity, pure indivisible Unity, in fact the ὄν, not the ὤν, like the Etre Suprême of the last century.[4] This absolute Simplicity is, because it comes from no other, equivalent to Unbegottenness, and in this very Unbegottenness, or absolute Simplicity, consists the Being of God. If this is so, it is impossible that God can beget anything of His substance, for then the Simplicity would be destroyed, and the Divine Substance divided. He would be Begotten and Unbegotten at the same time, which would be in itself a contradiction. And as with the

[1] The ἀπολογητικός was refuted by Basil the Great, and Eunomius therefore wrote five new books which he named the "*Defence of the Defence*" against Basil. Philostorgius (lib. viii. c. 12) maintained that Basil, on reading the first of these books, was so enraged at it that he died. Photius, however, remarks that Eunomius only published this work after the death of S. Basil. (Photii, Bibl. Cod. 138.) It is certain that for the very reason that Basil was then dead, his brother Gregory of Nyssa wrote twelve books against Eunomius.

[2] Extracts from the Aetian and Eunomian remains are given by Schrockh, *Kirchengeschichte*, vol. vi. p. 117 sqq.; Dr. von Baur, *Lehre von der Dreieinigkeit*, vol. i. p. 362 sqq.; and George Augustus Meier, *Lehre von der Trinität*, Hamb. 1844, vol. i. p. 176 sqq.

[3] Cf. Baur, *l.c.* p. 362 sq.

[4] Cf. Dorner, *Lehre von der Person Christi*, 2d edition; and Baur, *Die Christliche Lehre von der Dreieinigkeit*, part i. p. 380.

Unbegotten that very unbegottenness is His Being, so with the Begotten, the being begotten is His Being, and therefore the Being of the Begotten necessarily differs from the Being of the Unbegotten. He is of another substance (ἑτέρας οὐσίας), and in His Being is neither equal with nor like the Begotten (neither ὁμοούσιος nor ὁμοιούσιος), but unlike (ἀνόμοιος).

One would have thought that with this idea of the absolute simplicity of God, Eunomius would never have arrived at the creation of a world. But in order to get at this he inconsistently made a distinction in the Simplicity of God, distinguishing the Will from the Substance of God; a difference in the conception of God fully justified by our Church doctrine, but certainly not by the purely abstract Eunomian idea of God. By this, His Will, God called the world into existence, in calling the Son into Being, creating and begetting Him, through whom all else was made. This is the world creator.[1] Eunomius declares very expressly that the Son was created, a creature of the Unbegotten, and indeed out of nothing, as besides the Divine Substance there was no other; and the Son, as we know, could not have been Himself begotten of this Divine Substance. According to this, the right conclusion of the Anomœans would have been: "The Son was *created* from nothing by the Will of the Father;" and if they also used the expression "begotten," still even this, after the explanations made by them, could not be misunderstood. They went on to say, what followed of course from this, that if the Son was not of the Substance of God, then God, as to His Substance, cannot be called Father; not the Substance, but

[1] Cf. Dorner, *l.c.* p. 857. Concerning this inconsistency of the Anomœans, Baur, *l.c.* p. 375, very justly says: "It is as if the contradiction of the Infinite and the Finite were laid in God Himself. The Being and the Will of God bear the same relation to each other as the Infinite and the Finite; for if the Will of God were as infinite and unbegotten as the Being of God, essentially one with the absolute Being of God, then the Will of God could not have been the moving principle of the creation of the Son, without the same inconsistencies arising as with the identity of Substance. Between the Being and the Will of God there is therefore a great gulf; God, as to His Being, is quite other from God as to His Will. The Being of God is Infinite, but the Will is limited to the Finite," —that is, it only produces the finite. And p. 379: "The principle of finiteness (*i.e.* the Will of God) being thus transferred to the Godhead, removes, *per se*, that very idea—the absolute idea of God—which it is the first necessity of the Anomœan system to maintain."

the operating power (ἐνέργεια, ἐξουσία), the Will of God, is the Father. Moreover, the Son, though a creature, is in no wise like any other creature. He alone was immediately called into existence by the power of God, receiving from God that pre-eminence which He as their Creator must have in relation to the creatures. For everything is created by the Son, above all the Holy Ghost, who is a creation of the Son, as the Son is a creation of the Unbegotten. But for this very reason, because the Son has received from the Father such a pre-eminence over all creatures, and even creative activity, He may, in a certain sense, be called the Image of God, and a similarity to God may be ascribed to Him; but in no wise a similarity in Substance or Being, but only in activity.[1]

At the close of his ἀπολογητικός, Eunomius himself sums up his doctrine very plainly in the following words: The one and only true God of all is Unbegotten, without beginning, like only to Himself, exalted above every cause, the Cause of the being of all beings. Not by communication to another did He create all that is; not only is He first in order, He is not above all in a relative way, but by the absolute pre-eminence of substance, of power and dominion, He has before all begotten and created the only begotten Son, our Lord Jesus Christ, through whom all things were made, as the Image and Seal of His own power and operation, so that in substance the Son is as little like to Him who has begotten Him, as to the Holy Ghost whom He Himself created. He is subject to the substance and will of His Father, and may neither be called ὁμοούσιος nor ὁμοιούσιος, as the one signifies origin and sharing of substance, the other likeness, ἰσότης, perfect identity. What He is for ever, that He must be called in truth, a Begotten One, the Son obedient to the Father, His most perfect servant in the creation of the world, and the realization of the will of the Father. He is not begotten of

[1] Baur, *l.c.* p. 368 sqq.; Dorner, *l.c.* p. 885. Of this activity of the Son Eunomius maintains, very singularly, and without connection with the rest of his system, that "this activity of the Son was contained in the foreknowledge of God, in an unbegotten manner, even before the First Begotten Himself came into existence." He therefore considers this activity of the Son to be inherent in God, that is, in the knowledge of God, before its actual realization in creation, in distinction to its subsequent actual appearance.

the Unbegotten Substance of God, which is impossible, but by the will of the Father, begetting Him as He would have Him. He is therefore a *γέννημα τοῦ ἀγεννήτου*; yet Eunomius adds: "*οὐχ ὡς ἓν τῶν γεννημάτων, κτίσμα τοῦ ἀκτίστου, οὐχ ὡς ἓν τῶν κτισμάτων, ποίημα τοῦ ἀποιήτου, οὐχ ὡς ἓν τῶν ποιημάτων.*"[1]

A comparison of this Anomœan doctrine with that of the old Arians shows that in its chief points it is no more than the free expression and consequent development of the other. Only in two points is there a marked difference between the two. As we saw before, old Arianism regards the Son as only having arrived at Divine dignity and glory by the way of moral excellence, on account of His moral virtue; on the other hand, the Anomœans regard the Divine dignity, etc. of the Son as something bestowed upon Him when He was first begotten by the will of the Father, innate in Him, not acquired by Him by striving after moral perfection.

Secondly, the old Arians thought they could not often enough repeat that the Son does not perfectly comprehend the Father. Aetius and Eunomius, on the other hand, maintain a perfect comprehension of the Divine Being, and reproached the old Arians not a little for their opposite view.[2] Aetius said: "I know God as well as myself;"[3] and Eunomius, that "he knew the nature of God perfectly, and had the same knowledge of God, as God of Himself;"[4] expressions which were regarded even by their contemporaries as in the highest degree presumptuous. Yet they are really more cool than insolent; for "if the Divine Being is no more than the simple abstract, simple self-existence of the aboriginal, unbegotten monad, and if from the first all higher ideas are excluded by this meagre conception of God, then it is a small and even trivial thing to know such a God through and through."[5]

In opposition to these Anomœans, who had returned to strict Arianism, the Eusebians, apart from the still further division which immediately took place among themselves,

[1] Cf. Baur, *l.c.* p. 372 sq.
[2] So *e.g.* Philostorgius, lib. iii. c. 3.
[3] Socrat. *Hist. Eccl.* iv. 7; Epiph. *Hær.* 76, p. 989.
[4] Theodoret, *Hæret. Fab.* lib. iv. c. 3, p. 357, ed. Schulze.
[5] Dorner, *l.c.* p. 859; cf. Baur, *l.c.* p. 383.

henceforth appeared under the common name of Semi-Arians (ἡμιάρειοι), or Homoiüsians; the latter, because they chose to exchange the Nicene ὁμοούσιος for the like-sounding ὁμοιούσιος, which however weakened the likeness of the Son to the Father. If Philostorgius may be trusted, Eusebius of Nicomedia and his friends had already, in their signatures to the Nicene formula, cunningly and deceitfully substituted ὁμοιούσιος for ὁμοούσιος;[1] and it is certain that they maintained that the expression ὁμοούσιος was only applicable to corporeal things, but ὁμοιούσιος to spiritual beings and relations.[2]

The expression ὁμοιούσιος was quite suited to the character of the Semi-Arian party,—that is, was vague enough outwardly to unite essentially different modes of thought. It pleased the right side of the Semi-Arians, first, as the nearest approach to the Nicene formula, and because of its almost entire consonance with the Nicene term; secondly, it seemed to them to offer the advantages of the latter, without, like ὁμοούσιος, affording a cloak for Sabellian views, for it was precisely the dread of Sabellianism which made many Orientals, who were in no way inclined to Arianism, suspicious of the ὁμοούσιος. On the other hand, the left of the Semi-Arians also, who approached more nearly to genuine Arianism, and were at last, for the sake of consistency, actually led into it, might be fully satisfied with the formula ὁμοιούσιος, as thus the door was left wide open to Subordinationism, while, at the same time, the battle against the Anomœans, carried on with energy under this banner, seemed to shed a halo of orthodoxy also round the Semi-Arians.

Who was the actual founder of the Semi-Arian party has often been a subject of dispute, in which generally the difference between tendency and party has not been adequately recognised. As a theological tendency, Semi-Arianism is undoubtedly very ancient, and we meet with it among the Eusebians as early as the commencement of the Council of Nicæa, and even before that. For this reason, therefore, we cannot speak of a special founder of this tendency. But by the Semi-Arian party we understand specifically that division of the Anti-Nicenes which

[1] Philostorg. *Fragm.* lib. i. c. 8. Cf. vol. i. p. 295.
[2] Sozom. *Hist. Eccl.* iii. 8.

arose after the appearance of the Anomœans, and which was quite as much opposed to strict Arianism as to the Nicene ὁμοούσιος, and Athanasius.

According to Philostorgius,[1] the Sophist Asterius, against whom, as we know, Marcellus of Ancyra wrote,[2] was the founder of the Semi-Arian party ; but Socrates and Athanasius ascribe to this man doctrines which mark him out as a downright Arian.[3] The Semi-Arians themselves, however, acknowledged as their head the learned bishop, Basil of Ancyra, whom we have already often seen in the ranks of the Eusebians, and whom in 336 they raised to the See of Ancyra, in place of the deposed Marcellus. From him they obtained the oft-occurring appellation of *οἱ ἀμφὶ Βασίλειον*. Among those who besides him were prominent in this party were Eusebius of Emisa,[4] Theodore of Heraclea, Eustathius of Sebaste, Auxentius of Milan, and George of Laodicea, who already at the outbreak of the Arian controversy, while still priest at Alexandria, sought to occupy a middle position between orthodoxy and heresy, and to reconcile Arius with the Patriarch Alexander. He was deposed by the latter, but promoted by the Eusebians to the See of Laodicea. Moreover, this party had the Emperor Constantius also generally on their side, and for their protector ; but could not entirely reckon on him, as he several times allowed himself to be drawn over by those about him, especially Valens and Ursacius, to the strict Arian side.

Sec. 78. *Second Great Synod of Sirmium.*

This was, for instance, the case at the second great Synod of Sirmium, which was held about the middle of 357,[5] during the stay of the Emperor Constantius in that city. The members of this Synod were all Western bishops,[6] of whom, however, only Ursacius of Singidunum, Valens of Mursa, Germinius of Sirmium (the successor of Photinus), and

[1] Philostorgius, ii. 14, 15. [2] See above, pp. 29, 104.

[3] Socrat. i. 36 ; Athanas. *Orat. I. contra Arian.* c. 30, p 343, ed. Patav. *Orat. II. contra Arian.* c. 37, p. 399, and *De Synodis*, c. 18, p. 584.

[4] Cf. concerning him, above, p. 51.

[5] Cf. concerning it, Reinkens, *Hilary of Poitiers*, 1864, pp. 15 sqq.

[6] Sozom. iv. 12.

Potamius of Lisbon, in Portugal,[1] are mentioned by name. The confession of faith there drawn up, and which is known as "the Second Sirmian," is given in the original Latin by Hilary, and a Greek translation by Athanasius and Socrates.[2] Hilary mentions Potamius of Lisbon as the author of this formula; but the introduction itself mentions as the heads of the assembly, Ursacius, Valens, and Germinius, three bishops, who were especial favourites of the Emperor Constantius. The formula, in its principal points, runs thus: "We believe in His only Son Jesus Christ, the Lord, our Redeemer, begotten by Him before all ages. But two Gods may not and shall not be taught. As, however, the ὁμοούσιος and the ὁμοιούσιος have raised scruples in the minds of some, no more mention shall be made of the point, and no one shall teach it more, because it is not contained in the Holy Scriptures, and it is beyond human knowledge; and no one, as says Isaiah (liii. 8), can declare the generation of the Son.[3] There is no doubt that the Father is greater than the Son, and surpasses Him in honour, dignity, dominion, majesty, and even by the name of Father, as the Son Himself confesses in S. John xiv. 28: 'He who sent Me is greater than Me.' And all know that the Catholic doctrine is this: there are two Persons, the Father and the Son, the Father greater, the Son subject to Him, with all that the Father has made subject to the Son. But the Holy Ghost is through the Son, and came, according to promise, to teach and sanctify the apostles and all the faithful."

It is no wonder that Hilary called a formula, in which Arianism was so undisguisedly put forward, blasphemous;[4] but he certainly does Hosius an injustice in declaring him, with Potamius of Lisbon, to be the author. That which Socrates and Sozomen, and in part also Athanasius,[5] relate, is far more probable, *i.e.* that Hosius, then nearly a hundred years old,

[1] Hilary, *De Synodis*, p. 1156, ed. Bened.

[2] Hilar. *l.c.* c. 11; Athan. *De Synodis*, c. 28, t. i. P. ii. p. 594, ed. Patav.; Socrat. ii. 30, p. 124, ed. Mog.

[3] This view of the insufficiency of the human understanding is more old-Arian than Anomœan. Cf. above, p. 224.

[4] In the heading of the formula itself.

[5] Socrates, *h. e.* ii. 31; Sozom. iv. 12; Athanas. *Hist. Arian. ad Monach.* c. 45; *Apolog. c. Arian.* c. 89, 90; *Apolog. de Fuga*, c. 5.

was at last compelled, by the violent acts of the Emperor, by a year's imprisonment, and vexations of every kind, to sign this formula; but that soon afterwards, at the approach of death, he again anathematized the Arian heresy, and declared as it were in his will the great force that had been put on him.

Sec. 79. *A Synod at Antioch.*

It was natural that those of Anomœan views in Asia should joyfully agree to this second formula of Sirmium. This took place at a Synod held at Antioch in 358, under Eudoxius, the patriarch of that city, one of the heads of the Anomœans. Besides him, Acacius of Cæsarea and Uranius of Tyre were present. The two expressions ὁμοούσιος and ὁμοιούσιος were rejected, and a letter of thanks was issued to Ursacius, Valens, and Germinius, for having brought back the Westerns to the true faith.[1] But the Westerns themselves were of a different opinion. Thus, Hilary relates that in Gaul the second Sirmian formula was rejected immediately on its appearance,[2] and a work then written against it by Bishop Phœbadius of Agen has come down to us.[3]

Sec. 80. *Synod of Ancyra in* 358, *and the Third Sirmian Synod and Creed.*

The Semi-Arian bishops of Asia, however, showed no less zeal; the Anomœans especially rapidly sought to spread their doctrine everywhere, and Antioch was nearly falling completely into their hands. Aetius himself had now taken up his abode there, and was held in high esteem by Bishop Eudoxius, who gave away most of the Church appointments to pupils of Aetius.[4] One of the greatest Semi-Arians, George of Laodicea, therefore invited the bishops of like views with himself to a Synod; and as a new church was just then to be consecrated at Ancyra in Galatia,[5] and it was usual for Synods to take

[1] Sozom. iv. 12–15.
[2] Hilar. *De Synodis*, pp. 1151 et 1155.
[3] *Biblioth. Max. PP.* Lugd. t. iv. p. 300; *Bibl. PP.* Galland, t. v. p. 250.
[4] Cf. the letter of George of Laodicea in Sozom. iv. 13; Mansi, t. iii. p. 287.
[5] Sozom. iv. 13.

place at such festivals, the desired Semi-Arian assembly was actually held at Ancyra,[1] before Easter 358.[2] Its head was Basil of Ancyra; its members, the Bishops Eustathius of Sebaste, Hyperechius, Letojus, Heorticus, Gymnasius, Memnonius, Eutyches, Severinus, Eutychius, Alcimedes, and Alexander.[3]

The introduction to the very circumstantial Synodal Letter[4] which we possess says, with reference to the Anomœans, that it had been supposed that after the Synods of Constantinople (against Marcellus of Ancyra), Antioch, Sardica (really Philippopolis), and Sirmium (against Photinus), the Church would at last be allowed to enjoy peace; but that the devil had sown fresh impieties, and new objections to the true Sonship of the Lord had been devised. The assembled bishops had therefore decided to add to the former confessions of faith, those of Antioch *in Encæniis* and Sardica, which were also accepted at Sirmium, stricter and more accurate declarations concerning the Holy Trinity. The sense of the long explanations that follow is briefly this: "The very expression 'Father' shows that He is the Cause of a Substance like Himself (*αἴτιον ὁμοίας αὐτοῦ οὐσίας*); the idea of creature is thereby excluded, for the relation of Father and Son is quite different from that of Creator and creature, and if the likeness of the Son to the Father is abandoned, the idea and expression 'Son' must also be given up. For if from the idea of Son all finite characteristics are removed, there remains only the characteristic of likeness, as alone applicable to the incorporeal Son. That other beings, in no way like God, are called in the Holy Scriptures sons of God, forms no objection, for this was spoken figuratively; but the Logos is Son of God in the proper sense." They here make use of a philological simile, *i.e.* that "in a literal sense only a vessel made from

[1] Hilary, *De Synodis*, n. 12, p. 1158, also refers to this Synod.

[2] Cf. Mansi, *l.c.* p. 271, in the Synodal Letter of the Synod of Ancyra.

[3] These names appear among the signatures to the Synodal Letter, according to which George of Laodicea was not himself present; perhaps he, like many others, was hindered by the winter. Cf. p. 271 of the Synodal Letter in Mansi, *l.c.* Concerning the Synod of Ancyra, cf. Reinkens, *Hilary of Poitiers*, pp. 164 sqq.

[4] Epiph. *Hær.* 73, n. 2–11; also printed in Mansi, t. iii. pp. 270–288.

a box-tree (πύξιον) is a box (πύξιον); but in a looser sense this expression is also applied to other vessels,[1] and it is just so with the expression 'Son of God,' which in its first and literal sense applies only to the Logos, but is also used for other beings." Then follows a scriptural proof of the Son's similarity of substance, and lastly come eighteen anathemas, which are almost always placed two and two, so that one anathematizes the strict Arian and Anomœan separation of the Father and the Son, and the other the identification of the Father and the Son, the Sabellian υἱοπάτωρ. The censure of Anomœan doctrines is especially prominent in the fifth anathema: "Whoever calls the only begotten God Logos . . . ἀνόμοιος;" the ninth: "Whoever says that the Son is unlike the Father as to οὐσία;" the tenth: "Whoever calls the Son only a κτίσμα;" the eleventh: "Whoever attributes to the Son a likeness to God in activity, but not in substance;"[2] the fifteenth: "Whoever believes that the Father in time (at a certain fixed time) became the Father of the Son;" and the eighteenth: "Whoever says the Son is only of the power (that is, of the will of the Father), not of the power and substance of the Father together;"[3] also, "Whoever calls the Son ὁμοούσιος or ταυτοούσιος—let all these be anathema." S. Hilary has adopted twelve of these eighteen anathemas (leaving out the first five and the last) in his work *De Synodis*, and interprets them in an orthodox sense.[4]

The assembly of Ancyra sent with the above-mentioned Synodal Letter, the Bishops Basil, Eustathius, Eleusius (of Cyzicus), besides the priest Leontius, who was one of the Court ecclesiastics, to the Court at Sirmium, to break down the influence which the Anomœans had gained over the Emperor. At their arrival there, they also met the Antiochian priest Asphalius, a zealous Aetian, who had already obtained from the Emperor letters in favour of the Anomœans. Now, however, the matter took another turn. Constantius was once more won over to the Semi-Arian side; he required Asphalius to return the letters, and published instead another to the Antiochians, in which he declared strongly against the

[1] Mansi, *l.c.* p. 275.
[2] Cf. above, p. 222.
[3] Cf. pp. 222 and 220, n. 2.
[4] *Hilarii Opp.* ed. Bened. pp. 1158–1168.

Anomœan heresy, ordered its adherents to be excommunicated, and proclaimed the likeness of the Son to the Father *κατ' οὐσίαν*.[1]

Constantius at once organized a new Synod at Sirmium itself, the third great Sirmian Synod in the year 358, in which the Eastern deputies before mentioned, and all the other bishops then at the Court, took part. This new Sirmian Synod, however, is so closely connected with the affair of Pope Liberius, that we must first once more turn our attention to the latter.

As we saw above,[2] Liberius had been exiled to Berœa in Thrace by the Emperor Constantius, some time after the Synod of Milan, on account of his stedfast confession of the orthodox faith. While he was there enduring much misery, Constantius came to Rome in 357, before repairing to the second Sirmian Synod already mentioned.

Sec. 81. *Pope Liberius and the Third Sirmian Formula.*

During the presence of the Emperor at Rome, the community of that city earnestly begged for the reinstatement of Liberius, and women of the noblest houses undertook to present the petition. Constantius at first flatly refused them, because Felix was then bishop of Rome ; but when he learned that his service was scarcely attended by any one, he determined, in part at least, to grant the request, and said that Liberius might return, but that he should be bishop with Felix, and that each should lead only his own adherents. When this edict was read, the people exclaimed in scorn: " It is indeed quite fitting ; in the Circus also there are two parties, and now each may have a bishop for its head ! " Ridicule was followed by indignation, and the disturbance became so threatening, that the Emperor at last agreed to recall Liberius.[3] Nearly a year, however, elapsed before his actual arrival in

[1] Sozom. iv. 13, 14. [2] P. 212.

[3] Theodoret, *Hist. Eccl.* ii. 17 ; Socrat. ii. 37, p. 141, ed. Mog. ; Sozom. iv. 15 ; Sulpic. Sever. *l.c.* ii. 39, in the *Biblioth. Max. PP.* Lugd. t. vi. p. 346. Professor Reinerding of Fulda (*Beiträge zur Honorius und Liberiusfrage*, 1865, p. 60) finds an inconsistency in this account, for it says, " The Emperor conceded the recall of Liberius, which gave rise to disturbance among the

Rome, and he had to purchase his return by a step which made many suspect him of apostasy. The question is, whether Liberius gave his signature to an Arian confession of faith or not.

The defenders of Liberius, especially the learned Jesuit Stilting, in the work of the Bollandists,[1] the Italian, Franz Anton Zaccaria,[2] and Professor Palma of Rome,[3] appeal first of all to Theodoret, Socrates, and Sulpicius Severus, who very simply relate the return of Liberius to Rome, without mentioning any conditions then imposed on him, or attributing to him any weakness in the matter.[4] Athanasius, on the other hand, undeniably speaks in two places of a weak yielding of Liberius. In his *Historia Arianorum ad Monachos*,[5] he says: "Liberius was banished; after two years he yielded (ὤκλασε), and from fear of the death with which they threatened him, he signed." Against this testimony, the Bollandist Stilting, and lately Professor Reinerding of Fulda,[6] have raised the objection that the *Historia Arianorum ad Monachos* was composed during the lifetime of Leontius Castratus of Antioch, therefore before the supposed fall of Liberius, and consequently that the passage relating to it is a later addition.[7] This is certainly true,[8] but it does not therefore follow that this

friends of the latter, and then he called him back." This is certainly inconsistent. Our account, however, truly says, "At first the Emperor conceded that Liberius should return, and in union with Felix should fill the Papal office. At such a decision (two Popes) disturbance arose, and now the Emperor allowed Liberius to return as the sole occupant of the Papal See."

[1] *Acta Sanctorum*, t. vi. Septembris (23d September), p. 572 sqq., especially pp. 598 sqq.

[2] Zaccaria, *Dissert. de Commentitio Liberii Lapsu.*

[3] Palma, *Prælectiones Hist. Eccl.* t. i. P. ii., Romæ 1838, p. 94 sqq.

[4] The passages referring to this have already been quoted in note 1 of the preceding page.

[5] *Hist. Arian. ad Monachos*, c. 41.

[6] Reinerding, *Beiträge zur Honorius und Liberiusfrage*, 1865, p. 34 sqq.

[7] *Acta Sanctorum, l.c.* p. 601 sqq.

[8] The Benedictine editors of the works of S. Athanasius (in their *Admonitio* to the *Epist. ad Serapionem*, N. xi.) indeed maintained that Leontius died later, as Socrates, ii. 37, states. We cannot, however, agree with them here, but must rather allow, with the Bollandists, that Leontius was certainly dead at the time of the alleged weakness of Liberius, and that Eudoxius was then his successor, as Sozomen (iv. 15, compared with c. 13 and 14) very expressly relates. And if this is so, the *Historia Arian. ad Monachos* must necessarily have been written

addition is spurious, and not the work of Athanasius himself. The *Historia* was written by Athanasius before the fall of Liberius, and sent to the monks for whom it was destined; but he demanded and received his manuscript back again.[1] Some time later, Bishop Serapion of Thmuis wrote to him, begging that he would give him some account of the Arian heresy, and of his own fortunes, as well as of the death of Arius. To meet the two first requests, Athanasius sent his friend the *Historia Arianorum ad Monachos;* while, to fulfil the third wish, he wrote the little book, *De Morte Arii.*[2] Between the original composition of the *History* and its despatch to Serapion, a considerable time elapsed, during which the affair of Liberius took place, which seems to have led Athanasius to make a little addition.

In another work, the *Apologia contra Arianos,*[3] Athanasius again says of Liberius: "Even if he did not endure the miseries of exile to the end, still he remained two years in banishment." It is surely useless trouble to try and find any other meaning in the words, "he did not endure the miseries of exile to the end," than this, "He did not hold out—did not remain entirely stedfast," especially when we remember the former passage.[4] Stilting, however, remarks that this *Apologia* of Athanasius was also written before the supposed fall of Liberius, as early as 349, and that the chapters 89 and 90 (in which the passage quoted is found) are only a later addition. This, again, is certainly true; but this addition also, like the appendix to the *Historia Arianorum ad Monachos,* was from the pen of Athanasius himself. The *Apologia* is a collection of pieces which he put together about as early as 350, but which in course of time he enlarged and supplemented. They repeatedly passed through his hands, and, together with the *Historia Arianorum,* he first submitted them to the perusal of the monks, and some time later to Bishop

before the fall of Liberius, which only took place some time after the Synod held by Eudoxius at Antioch. Cf. above, p. 228, and Sozom. iv. 15.

[1] This he says expressly in his letter to them, c. 3, which is prefixed to the *Historia Arian. ad Monachos,* Opp. t. i. P. i. p. 272, ed. Patav.

[2] He says this also in his *Epist. ad Serap.* c. 1, *l.c.* p. 269.

[3] *Apologia contra Arianos,* c. 89.

[4] Athan. *Hist. Arian.* c. 41.

Serapion of Thmuis.[1] There is therefore no sufficient ground for rejecting, as have Stilting and lately Reinerding, the evidence of these two passages against Liberius in the works of Athanasius. On the contrary, they prove to us that Liberius, yielding to violence, did sign a certain document; what document is not precisely stated.

S. Hilary of Poitiers also, in his work *Contra Constantium Imperatorem*,[2] says much the same as Athanasius, *i.e.* "that he did not know which was the greater presumption on the part of the Emperor, the banishment of Liberius, or his recall to Rome."[3] It is here intimated that the recall of Liberius was not altogether void of blame, and that Constantius had only allowed it under very oppressive conditions. I am aware that Zaccaria, Palma, and lately Reinerding,[4] take Hilary's words to mean that Constantius had annoyed the Pope upon his return in various ways, not that he had extorted from him an improper subscription. This is so far true, that Hilary does not in so many words actually say this, but it is undeniably implied in his emphatic words which point to a then well-known fact.

Sozomen [5] relates further, that during his stay at Sirmium the Emperor summoned Liberius from Berœa, for the purpose of inducing him to renounce the ὁμοούσιος. To this end, he says that Constantius assembled the delegates of the Synod of Ancyra, who had arrived from the east, and also the bishops present at the Court, in a new Synod (the third at Sirmium), and was principally supported in his conduct towards Liberius by the three Semi-Arians, Basil of Ancyra, Eustathius of Sebaste, and Eleusius of Cyzicus. They collected all the decisions against Paul of Samosata and Photinus of Sirmium, as well as the symbol of the Antiochian Synod of 341,[6] together in one book (as did the

[1] All this has been rightly understood and expressed by an older colleague of Stilting's, the celebrated Papebroch, in his treatise on Athanasius in the works of the Bollandists, t. i. *Magi Prolog.* p. 186, and chap. 19, n. 220; xxv. n. 296.

[2] Hilar. *Contra Constantium Imperatorem*, c. 11.

[3] "O te miserum, qui nescio utrum majore impietate relegaveris, quam remiseris," p. 1247, ed. Bened.

[4] Palma, *l.c.* p. 102; Reinerding, *l.c.* p. 29. [5] Sozom. iv. 15.

[6] This Synod drew up four symbols, which Athanasius gives in his *De Synodis*,

Synod just held at Antioch, which had renewed the old decrees, and only added more precise explanations), assured Liberius that the ὁμοούσιος was only a cloak for heretical views (as was indeed the case with Photinus), and at last brought him together with four African bishops to assent to this document. But, on the other hand, Liberius declared that, "whoever did not allow that the Son was like the Father in substance and in all things, should be shut out from the Church," believing himself obliged to add this, "because Eudoxius of Antioch was spreading the report that Liberius and Hosius had rejected the ὁμοιούσιος and accepted the ἀνόμοιος."

Putting the accounts from these various sources together, the result is:—

(1.) That Liberius was summoned to the third Sirmian Synod.

(2.) That at this Synod the Semi-Arian views triumphed over the Anomœan, and the second (Anomœan) Sirmian formula was again suppressed.

(3.) That at the third Sirmian Synod no new confession of faith was drawn up, but only the old Eusebian decree of faith (namely, that of Antioch in 341) was renewed and signed indeed by Liberius also.

(4.) That Liberius thus, indeed, renounced the formula ὁμοούσιος, not because he had in any way fallen from orthodoxy, but because he had been made to believe that formula to be the cloak of Sabellianism and Photinism.

(5.) That, on the other hand, he still more energetically insisted upon the acknowledgment that the Son was in everything, in substance also, like the Father, whereby, with regard to what is said in No. 4, he departed from the orthodox formula in words only, not in real inward belief, as is confirmed by his subsequently coming forward on the side of orthodoxy.[1]

(6.) Lastly, that Liberius from henceforth held communion with the three bishops, who, like himself, had signed the Sirmian formula.

c. 22 sqq. But probably the fourth Antiochian symbol is here meant, which was also repeated at Philippopolis and at the first Sirmian Synod in 351.

[1] Socrat. iv. 12.

Here S. Jerome also agrees, when he says in his chronicle: "*Liberius tædio victus exilii, in hæreticam pravitatem subscribens Romam quasi victor intravit;*" and again, in his *Catalogus Scriptorum*:[1] "Bishop Fortunatian of Aquileia was to be blamed, '*quod Liberium, Romanæ urbis episcopum, pro fide ad exilium pergentem, primus sollicitavit ac fregit et ad subscriptionem hæreseos compulit.*'" According to this, Fortunatian had advised (*sollicitavit*) Pope Liberius to this weakness when he was first going into exile, and subsequently, after his return to Sirmium, actually seduced him into it (*fregit*). That Hilary here speaks of an heretical formula as signed by Liberius need not surprise us; for even if the formulas compiled and drawn up at the third Sirmian Synod contained nothing positively heretical, yet they were meant to serve Semi-Arian purposes, and were drawn up with Anti-Nicene views. The words of S. Jerome, therefore, in no way oblige us to accuse Liberius of a heavier crime than that of giving his consent to the *second* Sirmian formula; but neither, on the other hand, can we allow Stilting, Palma, and Reinerding to be right in representing these statements of S. Jerome as entirely devoid of truth. Reinerding especially tried to prove that Jerome had been deceived by false reports spread by the Arians. He thinks the same must be assumed as regards Athanasius also, if the expressions mentioned above[2] and unfavourable to Liberius are to be considered genuine.[3]

Against this conclusion two seemingly powerful witnesses unfavourable to Liberius present themselves, namely, himself, in three letters of his, and S. Hilary, who is said to have taken these letters into his sixth fragment and accompanied them with a few remarks.[4] The first of these letters of Liberius, beginning with the words, *Pro deifico timore*, is addressed to the Oriental (Arianizing) bishops, and says: "Your holy faith is known to God and the world. I do not defend Athanasius, but because my predecessor Julius had received him, I also acted in the same way. But when I came to see

[1] C. 97.

[2] Pp. 240 sq.

[3] Stilting, in the *Acta Sanct.* t. vi. Septembris, p. 605 sqq.; Palma, *l.c.* p. 102 sq.; Reinerding, *l.c.* p. 38 sqq., p. 43.

[4] S. Hilarii *Opp. Frag.* vi. p. 1335, n. 4.

the justice of your condemnation of him, I immediately agreed in this your sentence, and sent a letter on the subject by Bishop Fortunatian of Aquileia to the Emperor Constantius. Now that Athanasius is put out of communion by us all, I declare that I am at peace and unity with you all, and with the Oriental bishops in all provinces. Bishop Demophilus of Berœa has explained to me this your Catholic faith, which has been examined and accepted at Sirmium by several brothers and fellow-bishops, and I have willingly and without opposition accepted and agreed to it. I pray you now, so work together that I may be released from exile, and may return to the See entrusted to me by God."

The second letter is addressed to Ursacius, Valens, and Germinius; and he writes, that "from love of peace, which he preferred to martyrdom, he had already condemned Athanasius before he despatched the letters of the Oriental bishops (probably the answer to the former letter) to the Emperor. Athanasius was rejected by the Roman Church, as the whole presbytery of Rome could testify. He had sent Fortunatian to the Emperor to request permission to return (as we already know); he was at peace and unity with Ursacius, Valens, and others; they ought now again to obtain peace for the Roman Church, and should, moreover, tell Epictetus and Auxentius (of Milan) that he held communion with them also."

Lastly, the third letter is addressed to Vincent of Capua,[1] and is as surprising as it is brief. It runs: "I do not instruct but only exhort your holy soul, because evil communications corrupt good manners. The cunning of the wicked is well known to you, which is the cause of my present misery. Pray to God that He may help me to bear it. I have given up the contest for Athanasius, and have communicated this by letter to the Orientals. Tell the bishops of Campania to write to the Emperor, and to enclose my letter, that I may be freed from this misery. That I shall be absolved by God, you may see; if you let me perish in exile, God will be the judge between you and me."

The above-mentioned fragment, ascribed to S. Hilary,

[1] See above, p. 203.

introduces these letters with the words: "Liberius forfeited all his former excellence by writing to the sinful, heretical Arians, who had passed an unjust sentence upon the holy Athanasius." Moreover, the author of this fragment interrupts the first of the letters in question by three exclamations, in which he calls the Sirmian formula, which Liberius is said to have signed, a *perfidia Ariana*, and Liberius himself an *apostata* and *prævaricator*, and three times anathematizes him. The same occurs at the end of the second letter. The fragmentist finally adds the observation that this Sirmian formula was the work of Narcissus, Theodorus, Basil, Eudoxius, Demophilus, Cecropius, Silvanus, Ursacius, Valens, Evagrius, Hyrenœus, Exuperantius, Terentianus, Bassus, Gaudentius, Macedonius, Marthus (or Marcus), Acticus, Julius, Surinus, Simplicius, and Junior.[1]

According to this, (1.) it was not first at Sirmium in 358 that Liberius renounced communion with Athanasius, and entered into communion with the Semi-Arians; he had already done so at Berœa while still in exile.

(2.) He had already at Berœa signed the first or second Sirmian formula.

(3.) The Bishop Demophilus of Berœa, a man well known in the history of Arianism, had explained this formula to him.

(4.) To this formula Liberius had willingly and without opposition consented.

(5.) He had sent a letter concerning his renunciation of Athanasius by Bishop Fortunatian of Aquileia to the Emperor.

(6.) He was, notwithstanding, retained in banishment.

(7.) He therefore appealed to the Arian bishops to intercede with the Emperor for him.

(8.) Lastly, in the second letter it is said that not only Liberius, but the whole Roman Church, had renounced communion with Athanasius.

That this contradicts our previous conclusion is undeniable; but, at the same time, doubts of the genuineness of these three letters and of the fragment ascribed to S. Hilary force themselves upon us from all sides.

[1] Hilar. *Opp. Frag.* vi. n. 7, p. 1337.

1. Sozomen[1] says that lies were circulated at the expense of Pope Liberius, namely, that he gave his sanction to the Anomœan doctrine. Neither can it be denied that spurious letters were ascribed to him as well as to S. Athanasius : to this class belongs, first of all, the correspondence between Liberius and Athanasius,[2] unconditionally acknowledged to be spurious, and, what is of still more importance to us, a letter from Liberius to the Oriental bishops, contained in the same fragment of Hilary, and beginning with the words *studens paci*. That this must of necessity be spurious, we have already said,[3] and it was so recognised by Baronius ;[4] the Benedictine editors of S. Hilary and the Bollandist, P. Stilting, have also proved it in detail.[5]

Now there is an undoubted resemblance between this decidedly spurious document and the three other letters said to proceed from Liberius, with which we are here concerned ; all four are evidently the work of one author, and, as the saying is, worked on one pattern. Language, style, and manner are alike in all four, and indeed equally bad. The language is barbarous Latin, and is not only wanting in all refinement and elegance, but shows such great awkwardness and poverty of expression (the same half-barbarous terms and phrases occur again and again), that it is impossible that these letters could have been the work of a well-educated man, whose mother tongue was Latin. The style is no better than the language. The several clauses are placed side by side without connecting link, or natural transition, and are only united by juxtaposition.[6] But most striking of all is their poverty of thought ; we see plainly that the author had only two or three sentences at his command, which he gives in all their bareness, quite in the manner of one who is obliged to

[1] Sozomen, iv. 15.

[2] In Mansi, t. iii. pp. 219 sqq. (pseudo-Isidore) and pp. 225 sqq. (old ancient forgery) ; cf. also Bolland. *Acta SS.* Sept. t. vi. pp. 625 sqq. in the treatise of P. Joannes Stilting on Liberius.

[3] Pp. 200 sq.

[4] Baron. in Append. t. iii. ad ann. 352.

[5] Hilar. *Opp.* ed. Bened. p. 1327, not. a. *Acta SS. l.c.* p. 580 sqq. Tillemont alone does not dare entirely to reject this letter, *l.c.* t. viii. *Vie de S. Athanas.* art. 64, note 68.

[6] Stilting, *l.c.* p. 580 b, rightly says : "Stylus est adolescentis alicujus linguam Latinam discentis, qui prima præcepta nec dum satis intelligit, et certe non satis novit cogitationes suas nitido et claro utcumque sermone exprimere."

write only one letter a year. Hence the dulness and feebleness of these letters, which show no trace of feeling or life, but are rather cold, dry, and lame,—while, as we well know, misfortune, which Liberius was then experiencing, gives warmth and eloquence to the speaker. It is impossible that one who could write from exile letters so cold, poor, and feeble, could have felt the misery of banishment.

Other letters ascribed to Pope Liberius, and which bear in themselves the stamp of genuineness, have quite another character, as for instance his letter to Constantius,[1] and his eloquent Dialogue with the Emperor,[2] as well as the speech which Ambrose has preserved to us in the third book *De Virginibus.*[3]

2. The three letters of Liberius in question suggest further grounds for doubts as to their genuineness. (*a.*) It is there said that Liberius had sent the Bishop Fortunatian of Aquileia to the Emperor with his letter relating to Athanasius, etc. Now, if Constantius was already at Sirmium, Aquileia was twice as far from Berœa (where Liberius then was) as Sirmium itself, and the way to Aquileia lay through Sirmium, not *vice versa.* Even if the Emperor had then been still at Rome, neither in that case would Aquileia have been the middle station between that city and Berœa. This objection can only be evaded by supposing that Fortunatian had been without interruption in the company of Liberius at Berœa, and that he now sent him, *quasi a latere,* to the Emperor, which is certainly incorrect. It is, however, easy to see that the falsified or pseudo-Liberius introduced Bishop Fortunatian into these letters, because he read in Jerome that the former had seduced Liberius into the weakness of signing an Arian formula. But Jerome never makes Fortunatian the chamberlain and messenger of Liberius, as does this forger.

(*b.*) According to the three letters, Liberius, even after having done all in his power,—anathematized Athanasius, signed an Arian formula, and entered humbly and sorrowfully into communion with the Arians,—still did not receive permission to return for a long time. This is unlikely, and after the

[1] Hilar. *Fragm.* v. p. 1330. [2] Theodoret, ii. 16.

[3] *De Virginibus,* c. 1-3; cf. Stilting, in the *Acta SS. l.c.* p. 532 b and p. 630 a.

events at Berœa, and the promise the Emperor had there made, entirely incredible.

(*c.*) These three letters contain all kinds of incongruities: the second says, for instance, that the whole Roman Church had long since condemned Athanasius, as all the Roman priests could testify, and that this condemnation had been long since carried out. This is certainly untrue; Athanasius, on the contrary, always enjoyed the protection of Rome. According to the reading in pseudo-Liberius most approved by critics, *prius quam ad comitatum sancti imperatoris pervenissem*,[1] Athanasius was already anathematized by the Roman Church, before Liberius was summoned to the Imperial palace in 355. This is evidently false, and is indeed the same lie with which we are already acquainted in the false letter, *Studens paci*, so that Baronius acknowledged the spuriousness of this letter also.[2] Moreover, the first half of this second letter is so unclear, that what follows after *sola hæc causa fuit*, if it ever had a meaning consistent with the context, cannot now be rightly understood.

The last letter, however, of them all contains the most absurdities. The very first sentence, *non doceo, sed admoneo*, has here no sense, for the letter is really no exhortation, but a petition; there is no mention whatever of any advice. To this is added, quite irrelevantly, the quotation from 1 Cor. xv. 33: "Evil communications corrupt good manners," which has no connection whatever, and here no sense. The conclusion of this letter is just as unreasonable: *me ad Deum absolvi vos videritis; si volueritis me in exilio deficere, erit Deus judex inter me et vos.*

(*d.*) Lastly, the tone of these letters is so pitiful, and they represent Liberius as so cringingly begging the intercession of his enemies with the Emperor, as to be quite irreconcilable with the whole character of the man, his former conduct, his frankness with the Emperor, and his subsequent behaviour, especially as shown after the Synod of Seleucia-Rimini.

[1] The Benedictine editor of Hilary has only accepted this reading in the notes, p. 1338, note h, and has taken his text: *prius quam ad comitatum s. imperatoris literas Orientalium destinarem episcoporum*, from a codex of Sirmond he had not himself seen. Cf. Stilting, *l.c.* p. 584 a. n. 43, 44.

[2] Baron, Append. t. iii. p. 25.

On account of all this, and because of the impossibility of reconciling these letters with well-authenticated history (the conclusion before mentioned), I have as little doubt of their spuriousness as have Baronius, Stilting, Petrus, Ballerini, Massari, Palma,[1] and others, and conclude that they were written in the Anomœan interest, by some Greekling who had very little knowledge of the Latin tongue. Such a falsehood and forgery need not, however, so much surprise us, as we know false letters ascribed to Athanasius were also circulated by the Arian party; and Sozomen expressly relates that the Anomœans (strict Arians) in Asia had spread false reports concerning Liberius, representing him as having embraced their views, signed the second Sirmian formula, and rejected the teaching of the Church.[2] Might not these three letters have been the very means employed to spread these false reports?

3. The remarks and additions of the fragmentist, in which we cannot recognise S. Hilary, appear to us no less suspicious than the letters. As is known, Hilary of Poitiers wrote a work against Ursacius and Valens, containing a history of the Synod of Rimini,[3] which has not come down to us, of which, in the opinion of the Benedictines, the fifteen fragments first published by Nicholas Faber are remains. As two of these fragments bear the name of Hilary at the top or on the margin, Coustant, the Benedictine editor of the works of S. Hilary, concluded that all these fragments were written by him. Stilting, in the work of the Bollandists,[4] has proved in detail that such a conclusion is incorrect and bold in the extreme. This sixth fragment especially, which contains the oft-mentioned three letters of pseudo-Liberius, has no other mark whatever of having proceeded from Hilary, except that in one place in the margin of the codex in which it is found, the words, *Sanctus Hilarius anathema illi* (*Liberio*) *dicit*, appear.

[1] Palma, *l.c.* p. 170; Ballerini, *De vi ac ratione Primatus*, chap. xv. 8, p. 298, ed. August. 1770. The literary journals of Rome of the 17th April, and Fuchs in his *Biblioth. der Kirchenvers.*, vol. ii. p. 187, give some account of Massari's work on the Synod of Rimini, in which these three letters, as well as the earlier *Studens paci*, are all declared to be spurious. See above, p. 198, note 3.

[2] Sozom. iv. 15.

[3] Jerome, *Catalog. seu de Viris Illust.* c. 100.

[4] *l.c.* pp. 514 sqq.

This very weak evidence is abundantly outweighed by counter-proofs. (*a.*) Above all, the violent and passionate exclamations in which the fragmentist abuses and anathematizes Liberius are utterly unworthy of a Hilary, and much more betray the spirit of a fiery Luciferian. (*b.*) It is indeed impossible that they can proceed from Hilary, for he only wrote the work from which the fragments are said to come, after the Synod of Seleucia-Rimini; therefore at a time when Liberius had atoned for his temporary weakness, and shown himself a champion of orthodoxy. Moreover, Liberius was then universally recognised as the true Pope, and therefore Hilary was in communion with him.[1]

(4.) The three letters of pseudo-Liberius do not say which Sirmian formula the Pope had signed; the fragmentist, however, adds that it was the one composed by the bishops Narcissus, Theodorus, Basil, Eudoxius, and others.[2] According to this, Liberius cannot possibly have signed the second Sirmian formula, for

(*a.*) At the time of the second Sirmian Synod, Theodore of Heraclea, who is here, as often elsewhere, mentioned with Narcissus of Neronias or Irenopolis, was no longer living. Pope Liberius himself is the witness to this in his interview with the Emperor Constantius, given in Theodoret.[3]

(*b.*) Further, the second Synod of Sirmium, as appears from Sozomen,[4] was entirely composed of Westerns; but here the authors of the formula in question, mentioned by the fragmentist, are almost all Orientals.

(*c.*) Among these he reckons, *tertio loco*, Basil of Ancyra, who however was, as we know, a most decided opponent, and by no means one of the authors of the second Sirmian formula.

(*d.*) We can, moreover, appeal to the fact, first, that Hilary, in his genuine works, never places the weakness of Liberius

[1] [These arguments, from internal evidence, against the genuineness of the fragments of St. Hilary, and the three disputed letters of Liberius, must, of course, depend entirely for their force on the absence of external evidence. Dr. Newman appears to entertain no doubt on the subject, for he several times quotes the fragments in the text and appendix of his *Arians of the Fourth Century* (3d ed. 1871) without any hint of suspicion. See pp. 332, 436, 437. Cf. also note appended at the end of this volume.]

[2] See above, p. 238. [3] Theodoret, ii. 16. [4] Sozom. iv. 12.

on the same footing with that of Hosius, and thus in his *De Synodis*[1] assigns to Hosius, on account of his *lapsus*, an entirely singular position; secondly, that the real Arians, on the other hand, as Phœbadius shows, appealed only to Hosius, and by no means to Liberius.[2]

But may not the fragmentist, in introducing the names of those bishops, intend to signify that Liberius had signed the first Sirmian formula of 351, when Theodore was still living, and when all the bishops mentioned might possibly have taken part in its composition? We would gladly accept this conjecture, which makes the fault of Liberius appear very small, were we not hindered by Hilary himself. For in his genuine works he judges the first Sirmian formula (and that of Antioch in 351) so mildly, and interprets it in such an orthodox sense,[3] that it is impossible to believe that he (supposing him to be the author of the sixth fragment) should in another place have called it a *perfidia Ariana*, and anathematized him who signed it as an apostate. Hilary himself, indeed, during his exile, long stood on friendly terms with the Semi-Arians.

Lastly, the fragmentist can no more have meant the third Sirmian formula than the second, for (*a*) not only was Theodore of Heraclea dead at the time of the third as of the second Sirmian Synod, but Eudoxius (the friend of the Aetians) was so far from being a member of the third Sirmian Synod, that the latter was rather directed against him and his Antiochian assembly. (*b*) But what alone would decide the question is, that these letters of pseudo-Liberius represent Liberius as having already signed a Sirmian formula during his exile, while still at Berœa, therefore before the third Sirmian Synod was held.

If we have now come to the conclusion that Liberius signed the third Sirmian formula, the objections raised by Palma and Stilting[4] cannot move us from this opinion. Both start from the belief that the third Sirmian Synod had drawn up no

[1] *De Synodis*, c. 87.
[2] Cf. p. 677, and Stilting in *Acta SS. l.c.* p. 611, n. 170; Palma, *l.c.* p. 106.
[3] Hilar. *De Synodis*, c. 29 sqq. and c. 38 sqq.
[4] Stilting in *Acta SS. l.c.* pp. 612 sqq.; Palma, *l.c.* p. 105.

creed,[1] but only twelve anathemas,—those twelve, namely, of the eighteen anathemas of Ancyra which Hilary[2] brings forward, and in which precisely those theses of the Synod of Ancyra which are suspicious, especially the last, which directly anathematizes the ὁμοούσιος, are left out. But Sozomen[3] expressly says that Liberius had been brought to agree to the (Eusebian) decrees of faith, compiled by the Semi-Arians, against Paul of Samosata, Photinus of Sirmium, and the Synod of Antioch in 341.[4] And this very compilation, together with the twelve anathemas of Ancyra, received at the third Sirmian Synod, we are justified in calling the third Sirmian formula.[5]

Hilary supplies materials for a further objection. As is known, he judged several Semi-Arian formulas very mildly, and was also during his exile in Phrygia in friendly intercourse with the Semi-Arians. How could he then, if Liberius only signed a Semi-Arian formula, write to the Emperor Constantius with reference to him: *Nescio utrum majore impietate (eum) relegaveris quam remiseris?*[6] Does not the blame contained in these words imply that Liberius allowed a real Arian formula to be forced upon him? I do not think so; for, in the first place, Hilary never sanctioned full communion with the Semi-Arians, especially never allowed participation with them in their Eucharist,[7] and excused by the circumstances of the time rather than sanctioned all other communion with them. And, in the second place, Hilary in those words blames the Emperor far more than Liberius, and with full justice, for Constantius had in fact used violence towards Liberius, and in so doing had been guilty of a fresh crime towards him.

We therefore conclude without doubt that Liberius, yielding to force, and sinking under many years of confinement and exile, signed the so-called third Sirmian formula, that is, the collection of older formulas of faith accepted at the third

[1] That which they call the third Sirmian formula of 359 was certainly later than the return of Liberius; but for us this is the fourth Sirmian formula.

[2] Hilar. *De Synodis*, c. 12. [3] Sozom. iv. 15. [4] See above, pp. 200 sq.

[5] [On the vexed question as to what formula precisely Liberius subscribed, see the third appendix to Newman's *Arians* (*ut supra*) on "the Confessions of Sirmium."]

[6] *Contra Constantium*, n. 11, p. 1247. [7] *Ibid.* n. 2, p. 1239.

Sirmian Synod of 358. He did not do this without scruples, for the Semi-Arian character and origin of these formulas were not unknown to him; but, as they contained no direct or express rejection of the orthodox faith, and as it was represented to him, on the other side, that the Nicene ὁμοούσιος formed a cloak for Sabellianism and Photinism, he allowed himself to be persuaded to accept the third Sirmian confession. But by so doing he only renounced the letter of the Nicene faith, not the orthodox faith itself, as not only his former but his later stand against heresy testifies, as well as the addition which he made to his signature of the Sirmian formula, and in which he interprets the formula itself in an orthodox sense.[1]

The Semi-Arians now made use of their victory as far as possible for the annihilation of their opponents, the strict Arians. Eudoxius of Antioch was banished to his fatherland Armenia, Aetius to Pepuza in Phrygia (made so celebrated by the Montanists), his pupil Eunomius to Midaium also in Phrygia, Theophilus, the former missionary to the Homerites, to Heraclea in Pontus, others to other places, in all seventy Anomœans; and, indeed, as Philostorgius maintains, this was done chiefly at the instigation of Basil of Ancyra, who was supported by the ladies of the Imperial Court. Many, in consequence, who had hitherto belonged more to strict Arianism, now turned to the Semi-Arian side, especially Macedonius, bishop of Constantinople, the head of the subsequent Pneumatomachians.[2] Many of the violent measures practised by Basil and his friends were, however, unknown to the Emperor; and when Bishop Patrophilus of Scythopolis, and Narcissus of Irenopolis (Neronias), made him acquainted with their acts, he at once recalled the exiles and commanded another Synod to be held.[3]

Sec. 82. *Double Synod at Seleucia and Rimini in* 359.

According to the above statement of Philostorgius, we should suppose that Constantius summoned the new Synod

[1] Page 235. [For the argument on the other side the reader may compare Renouf's "Note on Liberius," cited at the end of this volume, not for the purpose of pronouncing on the points at issue, but as giving a luminous exposition, from the pen of a learned Roman Catholic critic, of the adverse view to the author's on an important historical controversy.]

[2] Philostorg. *Fragm. Hist. Eccl.* lib. iv. 8, 9. *Ibid.* c. 10.

in favour of the Anomœans; but Sozomen[1] says just the contrary, that he thereby intended to put an end to the Anomœan doctrine. The truth is probably to be found in Socrates,[2] *i.e.* that Constantius desired to restore universal peace among the Arianizing parties by means of a new, great, and General Synod. The statements of S. Athanasius do not contradict this supposition, for he only means that the division of the great Council planned by the Emperor into two smaller contemporary Synods (but not the Synod itself) had been brought about by the Anomœans.[3] We learn from Sozomen[4] that the Emperor at first intended to hold the great Synod at Nicæa, but that Basil of Ancyra, who then, and for some time after, had the greatest influence with him, proposed the neighbouring Nicomedia instead of the city of Nicæa, which was displeasing to him on account of its associations with the Nicene ὁμοούσιος. Constantius now commanded that the wisest bishops from every ecclesiastical province should at once meet at Nicomedia, invested with full powers. Many of them were already on the road when, on the 24th August 358, Nicomedia was entirely destroyed by an earthquake, and a fire occasioned by it. Cecropius, the bishop of that place, perished in it, and, to the great sorrow of the Christians, the splendid cathedral fell; calamities in which the heathens chose to recognise the visible judgment of the gods.[5] The Emperor immediately wrote to Basil of Ancyra, inquiring what was now to be done; and as he now also advised Nicæa, Constantius commanded that at the commencement of the following summer all the bishops should assemble there, and that the old and infirm should send priests or deacons as their representatives. The Synod itself was to send a deputation of ten Orientals, and as many Westerns, to the Court, to report the decisions arrived at, "that he (the Emperor) might himself know whether they had come to an understanding in accordance with the Holy Scriptures, and might decide according to his own judgment what was best to be done." A second decree followed shortly, the purport of which was "that the bishops should wait wherever they might

[1] Sozom. iii. 19, iv. 16. [2] Soc. ii. 37. [3] Athanas. *De Synodis*, c. i. 7.
[4] Sozom. iv. 16. [5] Sozom. iv. 16, and the notes of Valesius on this passage.

be, until another place for the Synod was determined and announced to them," and at the same time Basil was commissioned to inquire the views of the remaining Eastern bishops on this point. The opinions were very various, and Basil repaired in person to the Emperor at Sirmium, where were also Marcus of Arethusa, and George of Alexandria; Valens and Ursacius, as well as Germinius of Sirmium, were also present. The two latter, and other secret adherents of the strict Arian doctrine, feared, and certainly not without reason, that if the great Synod took place, the Semi-Arians and the orthodox would probably make common cause in censuring the Anomœan doctrine; and therefore, supported by the first Imperial chamberlain, the eunuch Eusebius, a friend of the Anomœans, they represented to the Emperor that it would be less expensive and more to the purpose to assemble the Western bishops at Ariminum (now Rimini), but the Easterns, with those from Libya and Thrace, at Seleucia Aspera (τραχεῖα, on account of the neighbouring steep mountains), the capital of Isauria, and thus to hold a double Synod.[1] To this the Emperor agreed.[2]

They were also successful in a second plan. It might be foreseen that the approaching Synod, or double Synod, would draw up a creed. Now, in order that this should contain no direct rejection of the Anomœan doctrine, those in favour of it at the Imperial Court planned the drawing up beforehand of an ambiguous formula which should be laid before the Synod for acceptance. It was to be so arranged, that while on the one hand it did no harm to the Anomœans, yet, on the other, it might satisfy the Emperor and the Semi-Arians. They succeeded in making the Semi-Arians then at the Court believe that it was better and more to the purpose to lay before the Synod an already existing confession, and both parties (while still at the Court at Sirmium, before their departure for the Synod) combined for the composition of such a formula. After long debates, this was finished on the eve of the Feast of Pentecost, May 22d, 359,[3] and it is often

[1] Sozom. iv. 16; Athanas. *De Synodis*, c. i. 7; Philostorg. iv. 10.

[2] Sozom. iv. 17.

[3] We obtain this date from the letter of Bishop Germinius of Sirmium in Hilar. *Fragm.* xv. n. 3, p. 1363, from the signature of Valens in Epiphan. *Hær.* 73, c. 22, and from the heading of the formula itself in Athanas. *De Synodis*, c. 7.

called the third, but more rightly the fourth and last Sirmian formula. Its author was Bishop Marcus of Arethusa, whom the remaining bishops present (of Anomœan as well as Semi-Arian views) had entrusted with this commission.[1] According to Sozomen and Socrates,[2] the formula was originally written in Latin, but was also translated into Greek;[3] it was sanctioned by the Emperor, and signed by all the bishops then at Court.[4] But these very signatures show the suspicions of the Semi-Arians with regard to this formula. It is preserved to us in Athanasius and Socrates,[5] and the heading runs thus: "The Catholic faith was established in the presence of our lord, the pious, victorious, and ever august Emperor, Constantius Augustus, under the consulate of Flavius Eusebius and Flavius Hypatius, at Sirmium, on the 11th of the Kalends of June." The main points of the formula itself are as follows: "We believe in one only and true God, the Father and Ruler of all, Creator and Demiurge of all things, and in one only begotten Son of God, who was begotten of the Father without change (*ἀπαθῶς*) before all ages and all beginning, and all conceivable time, and all comprehensible *οὐσία* . . . God from God, similar (*ὅμοιον*) to the Father, who has begotten Him according to the Holy Scriptures (*κατὰ τὰς γραφάς*), whose generation no one knows (understands) but the Father who has begotten Him. . . . The word *οὐσία*, because it was used by the fathers in simplicity (*ἁπλούστερον*, that is, with good intention), but not being understood by the people, occasions scandal, and is not contained in the Scriptures, shall be put aside, and in future no mention shall be made of the *Usia* with regard to God. . . . But we maintain that the Son is similar to the Father in all things, as also the Holy Scriptures teach and say." This formula was first subscribed by Marcus of Arethusa, with the words, "Thus I believe and think;" and by the others in like manner. But Valens added, "How on the eve of the Feast of Pentecost we gave these signatures is

[1] Letter of the bishop Germinius of Sirmium in Hilar. *Fragm.* xv. p. 1362.
[2] Sozom. iv. 17; Soc. ii. 37.
[3] Cf. also the note b of the Benedictines on Athanas. *De Synodis*, c. 8.
[4] Hilar. *Fragm.* xv. p. 1363. [5] Athanas. *De Synodis*, c. 8; Socrat. ii. 37.

known to all who were present, and also to the pious Emperor, before whom we have testified in writing and by word of mouth." Then followed his signature, and the further addition, "The Son is similar to the Father," omitting the important *κατὰ πάντα*, "in all things." The Emperor, however, compelled him to add these words. This circumstance strengthened Basil of Ancyra in his suspicion that the words "in all things" might perhaps be taken by Valens in a peculiar sense, and he therefore also made an addition to his signature, verging indeed upon orthodoxy: "Thus I believe, and to this I agree, in that I acknowledge the Son to be similar to the Father in all things, not only in will, but also in His being (*κατὰ τὴν ὕπαρξιν καὶ κατὰ τὸ εἶναι*). . . . But if any one says that He is only similar in part, I declare him not to be a member of the Catholic Church, as he does not, in accordance with the Holy Scriptures, acknowledge the similarity of the Son to the Father." The signatures were read aloud, and delivered to Valens, who, as Basil knew, intended to take the copy with him to the Synod of Rimini.[1]

For still greater security against the Anomœans, and for the still firmer maintenance of the *ὁμοιούσιος*, but especially to show that the words, "similar in all things," necessarily also included similarity of substance (the *ὁμοιούσιος*), Basil, probably about this time, in union with George of Laodicea and other friends, composed the dogmatic treatise which Epiphanius[2] has preserved to us. That this whole treatise was not, as was formerly believed, the work of Epiphanius himself, but of Basil of Ancyra, Petavius has first shown in his *Animadversiones*, while in his Latin translation of the text itself he was still a victim of the old mistake.[3]

[1] We learn these details from Epiphanius, *Hær.* 73, 22. Whether this passage in Epiphanius, from *Εἰς τὴν ἐκτεθεῖσαν πίστιν* to the end of c. 22, also belongs to the memoir by Basil of Ancyra, given in the preceding chapter, or proceeds from Epiphanius himself, is doubtful. Cf. the notes of Dionysius Petavius on this passage in his edition of the works of S. Epiphanius, t. ii. *Animadv. ad Hær.* 73, c. 22, p. 323, edit. Colon. 1682.

[2] At any rate, it goes as far as the passage discussed in the preceding note, beginning *Εἰς τὴν ἐκτεθεῖσαν πίστιν*; but even this passage may, as we have said, perhaps belong to Basil's treatise.

[3] Cf. his *Animadversiones* on Epiphan. *Hær.* 73, c. 12, in the second volume of his edition, pp. 321 sq.

The Synod of Rimini met earlier than the other,[1] and in May 359 there were there assembled more than four hundred bishops from different Western provinces, especially Illyria, Italy, Africa, Spain, Gaul, and Britain.[2] Constantius wished to charge the travelling expenses of all upon the treasury; but the greater number, at least the bishops of Gaul, Aquitania, and Britain, by whom Sulpicius Severus was expressly informed of the fact, declined this offer, in order not to be in any way bound to the Emperor. Only three very poor British bishops took advantage of it, and preferred rather to burden the treasury than their colleagues who had offered to provide for them. The most famous among the orthodox bishops at Rimini were Restitutus of Carthage, the aged Musonius from the Byzacene province in Africa, Græcian of Calles (Cagli) in Italy, Phœbadius of Agen in Gaul, and Servatius of Tongern.[3] The presidency was probably held by Restitutus of Carthage, whose name stands first in all the synodal documents. Pope Liberius was neither present in person nor represented. Remi Ceillier doubts his having even been invited;[4] but as he was then already reinstated, his being intentionally overlooked would not only have been inexplicable, but entirely contrary to the Emperor's plans for unity. The Arian party numbered about eighty bishops, of whom the most prominent were Ursacius, Valens, Germinius, Auxentius of Milan, Epictetus of Civita Vecchia (Centumcellæ), and Caius of Illyria. Athanasius says that, besides these, Demophilus of Berœa was also present at Rimini, but he, with all other Thracians, belonged to Seleucia; nor does the Synod of Rimini mention him in its decree which anathematizes by name the most illustrious Arians. The Prefect Taurus acted as the

[1] The documents relating to the Synods of Rimini and Seleucia, which are to be found scattered in Athanasius, Hilary, and elsewhere, and are quoted by us in what follows from those sources, are conveniently collected in Mansi, *Coll. Conc.* t. iii. pp. 294–326, and less completely in Harduin, t. i. pp. 711 sqq.

[2] Athanas. *De Synodis*, c. 8; Sozom. iv. 17; Sulpic. Sev. *Hist. Sacra*, l. ii. p. 346 b, in the *Biblioth. Max. PP.* Lugd. 1677, t. iv.

[3] Hilar. *Fragm.* viii. p. 1346, and *Fragm.* vii. p. 1342; Jerome, *Adv. Lucifer.* t. iv. p. 300; Sulpic. Sev. *l.c.* p. 347 a; Remi Ceillier, *Histoire Générale des Auteurs Sacrés*, t. v. p. 520.

[4] *Histoire Générale*, etc. t. v. p. 520.

Emperor's representative and secular protector of the Synod, and was commissioned not to let the bishops go until they had come to one mind concerning the faith. For this he was promised the post of consul,[1] which he indeed obtained in 361; but, while still in office, immediately after the death of Constantius, he was ordered to Vercelli.[2]

The letter addressed by Constantius to the bishops assembled at Rimini is a very pattern of Byzantine Cæsaropapism.[3] Sozomen[4] made a copy of a similar one, also addressed to the Synod of Seleucia, and his statements indicate that the letter used by him was published earlier, and was also fuller, than the other. The Emperor here ordered that the bishops should first settle the disputes concerning the faith, and, when this was done, should investigate the more private affairs, namely, the complaints of individuals concerning unjust deposition (as, for instance, that of Cyril of Jerusalem by the strict Arian metropolitan, Acacius of Cæsarea), and the complaints made by the Egyptians of the violent acts practised by Bishop George of Alexandria, who had been forced upon them. Thirdly, when this was also done, each of the two Synods were to send a deputation of ten members to the Emperor to inform him of their decisions.

Distinct from this edict is the other given by Hilary, expressly addressed only to the Synod of Rimini, and in which there is no mention of the second point, the investigation of private affairs. On the other hand, the first point, that the bishops should before everything else treat *de fide et unitate*, is especially insisted upon. To this is joined the command forbidding the bishops at Rimini, "as Westerns, to make any decisions whatever regarding the Easterns." Here is clearly to be seen the influence of the Anomœan Court bishops, who dreaded an anathema from the predominantly orthodox Synod of Rimini upon Aetius, Eunomius, Eudoxius of Antioch, and other heads of the Anomœans.

Finally, in the second edict, the third point, concerning the deputation to the Emperor, has a much deeper, and, as regards the issue of the double Synod, a very important signification.

[1] Sulpic. Sev. *l.c.* p. 346 b.
[2] Remi Ceillier, *l.c.* p. 520.
[3] In Hilar. *Fragm.* vii. p. 1340.
[4] Sozom. iv. 17.

Constantius there orders that, "in case of a difference arising between the Eastern and Western bishops, the ten deputies chosen at Rimini should, after having appeared before the Emperor, enter into negotiation with the Easterns and try to settle the difference."

That this edict was really preceded by another similar one is shown in the words, *ut prudentiæ vestræ prioribus litteris intimavimus*,[1] and we have every reason for supposing that the edict given by Sozomen was an extract from the *priores litteræ*, the rest of which is lost.

The edict mentioned secondly is dated the 27th May 359. As now we know that the last Sirmian formula was only finished on the 22d of that month,[2] it may be conjectured that Ursacius, Valens, and the other authors of this formula, also Basil of Ancyra, Marcus of Arethusa, and others, only set off after the opening of the Synod of Rimini to their respective assemblies; the former to Rimini and the latter to Seleucia, possibly on the 27th May, so that the Emperor might have given them his edict to take with them.

While the bishops assembled in the cathedral at Rimini discussed the faith, always appealing to the Holy Scriptures, Valens and Ursacius, accompanied by Germinius, Auxentius, and Caius, appeared before the assembly, and reading aloud the last Sirmian formula, declared that it was already confirmed by the Emperor, and was now to be universally accepted, without discussions as to the sense which individuals might attach to its words.[3] According to Theodoret, they added that the expressions ὁμοούσιος and ὁμοιούσιος, which after all were not contained in Holy Scripture, had occasioned all the many disputes, and should therefore be discontinued, and the words "similar in all things" substituted in their stead. They thus thought to deceive the Westerns, whom they considered simple.[4] The answer first made to this by the orthodox bishops is not known, for that attributed to them by Sozomen[5] was not, according to Athanasius, made till somewhat later. The latter says[6] that "the orthodox had, in

[1] Hilar. *Fragm.* vii. p. 1341. [2] P. 248. [3] Athanas. *De Synodis*, c. 8.
[4] Theodoret, *Hist.* ii. 18; cf. also Sozom. iv. 17.
[5] Sozom. iv. 17. [6] *De Synodis*, c. 9.

answer, proposed an anathema upon Arianism, and declared a new formula of faith to be totally unnecessary, for that the business in hand was not to find out the faith, but rather to confound its opponents. They thought that the Synod of Nicæa had already done all that was necessary as regarded the faith ; that its decisions were to be held fast, and therefore that if Ursacius, Valens, and their friends had come with the same mind, they should with them unanimously anathematize all heresies, and especially the Arian. When this was refused, the Synod, recognising their heretical mind and intentions, once more unanimously approved the decisions of Nicæa, especially the use of the expression *οὐσία*,[1] pronounced the anathema upon each separate point of Arianism,[2] and (on the 21st July 359)[3] declared Ursacius, Valens, Germinius, and Caius (Auxentius and Demophilus) to be heretics and deposed. This decision it communicated to the Emperor in a letter originally written in Latin, and still in existence,[4] adding, that it was not through the propositions of Valens and the others, but only by holding fast the old Nicene faith, that perfect peace could be restored. At the same time, they urgently begged the Emperor not to detain them longer at Rimini, as many of them were oppressed by age and poverty, and the churches could not spare their bishops for so long a time."

From the time when the separation of the parties at Rimini was openly proclaimed, both held separate meetings—the orthodox in the Church, the Arians in an oratory of their own ;[5] and each party also sent its own deputation to the Emperor. Sulpicius Severus says that most of the orthodox deputies were young, inexperienced, and imprudent men, and the Synod thought it wise to charge them to enter into no

[1] In the *Definitio Catholica* published by the Synod and preserved in Hilar. *Fragm.* vii. p. 1341.

[2] In the document given in Hilar. *l.c.* p. 1343.

[3] In the document given in Athanas. *De Synodis*, c. 11, and in Hilar. *l.c.* p. 1342. The Synod there calls itself *Catholica Synodus*. In the document itself there is no mention of the deposition of Auxentius and Demophilus, though there is in Athanas. *l.c.* c. 9. On this cf. Remi Ceillier, *l.c.* p. 325.

[4] In Hilar. *Fragm.* viii. p. 1344 ; Athanas. *De Synodis*, c. 10 ; Sozom. iv. 18 ; Socrat. ii. 37 ; Theodoret, ii. 19.

[5] Sulpic. Sev. *l.c.* p. 346 b.

intercourse with the Arians, but to reserve everything for the decision of the Synod; the Arians, on the contrary, had made choice of older men, cunning and clever, who could easily obtain the upper hand with the Emperor. He gives no names, but states that each party, the orthodox and the Arian, had sent ten bishops; but in the eighth fragment of Hilary[1] we read of fourteen deputies on the orthodox side, of whom Restitutus of Carthage, before mentioned, seems to have been the head. The Emperor himself says, and also Sozomen, that from the orthodox side twenty deputies were despatched.[2]

Meanwhile Constantius, on the 18th June 359, had left Sirmium for the East to make preparations for a war against the Persians, and had reached Constantinople just at the time of the arrival of the deputies. The Arian deputation, however, with Valens and Ursacius at their head, succeeded in arriving somewhat earlier, and their representations made such an impression upon the already Arianizing Emperor, that he severely blamed the orthodox for their non-acceptance of the fourth Sirmian formula; and while he treated Valens and Ursacius with the greatest respect, would not even allow the orthodox deputies to appear before him, but only sent an officer to receive from their hands the Synodal Letter which they had brought, under pretext of being just then overwhelmed with State business. Nay, he did not even give them an answer; and after they had waited long in vain, they were directed to go in the meanwhile to Adrianople, and there to await the Emperor's leisure.[3] This he communicated to the Synod in a very cold letter, remarking that they must wait for the return of their deputies from Adrianople with his answer, at the same time highly praising his own zeal in the matter. Athanasius has preserved this letter, as well as the short and earnest answer of the Fathers at Rimini, in which

[1] P. 1346.

[2] In Athanas. *De Synodis*, c. 55, Sozom. iv. 18, p. 565. Remi Ceillier, *l.c.* p. 531, is of opinion that only ten deputies were at first sent from the orthodox side, and that the four other names which occur in the eighth fragment of Hilary indicate that the Synod later again sent four deputies to the Emperor with their answer to his cold letter.

[3] Sozom. iv. 19; Socrat. ii. 38, p. 139, ed. Mog.; Theodoret, ii. 19, p. 100, ed. Mog.

they again declared their firm adhesion to the Nicene faith, and demanded permission to return to their dioceses.[1]

It was probably also at this time that an event took place, a full explanation of which is now no longer possible. Athanasius, in his work *De Synodis*,[2] relates that, "at the recommendation of the Arians, Constantius had caused the Sirmian formula, with the chronological date in the heading, to be withdrawn, and all the copies issued to be recalled by the notary Martinian." That which Athanasius here cites[3] serves to explain this, namely, that it was entirely contrary to custom, and ridiculous, to furnish a confession of faith which should express the eternal and abiding faith now and from the very first held in the Church, with a chronological date, which can only mean that from such a day such and such is the Christian faith. This was in the genuine heretical fashion. It was just as presumptuous, while denying to the Son of God the predicate of eternity, to call the Emperor in the heading eternal.[4] When the Emperor found that the heading just mentioned was so ill received by the orthodox, he, probably at this time, ordered the withdrawal of the formula in question, in order to replace it by a similar one without the chronological date, and with a few slight alterations; and it was then accepted at Seleucia, and at last forced even upon Rimini. Socrates, differing from this, says[5] that it was the second Sirmian formula, the suppression of which the Emperor had commanded; but the testimony of Athanasius is far more weighty; besides which, the second Sirmian formula was so widely circulated (as we have seen above, it was accepted in the East, at Antioch; rejected at Ancyra, and also in the West in Gaul), that Martinian, a single notary, could certainly not have collected all the existing copies. It is true that the like objection has been made against the statement of Athanasius, and it has been said that the four hundred bishops then assembled at Rimini were already acquainted with this

[1] Athanas. *De Synodis*, c. 55; also in Soc. ii. 38, p. 139.

[2] *De Synodis*, c. 29.

[3] Athanas. *De Synodis*, c. 3 sq.

[4] Athanas. *De Synodis*, c. 3; Socrat. ii. 37, p. 134, ed. Mog.; cf. above, p. 202, note 1.

[5] Socrat. ii. 30, *in fine*, p. 126, ed. Mog.

(fourth Sirmian) formula. To this the Benedictines rejoined, that "although they certainly knew the formula, they probably possessed but few copies, as Valens, Ursacius, and the others did not distribute copies, but read it aloud." [1]

Socrates, Sozomen, and Theodoret all agree in relating that the orthodox deputies from Rimini were afterwards sent from Adrianople to the small town of Nice (Ustodizo) in Thrace, and that the heads of the Arians also repaired thither to treat with them concerning the faith. They chose Nice, in order that the formula which they there intended to draw up might be taken by the less instructed for that of Nicæa.[2] They did, in fact, by fraud and deceptions of all kinds, by violence and oppression,[3] and especially by falsely stating that the term "substance" had been rejected [4] by all the Easterns (at the Synod of Seleucia), succeed in inducing the deputies of Rimini, weary of their long delay,[5] to sacrifice the decisions of their own Synod, and to give their consent and signature to the new Nicene [6] formula of faith proposed to them by Valens, Ursacius, and their colleagues. This took place on the 10th October 359,[7] as we learn, in a document still extant, from Restitutus of Carthage. The new formula of faith is given by Athanasius and Theodoret,[8] and is, as we have already seen, quite similar to the fourth Sirmian formula: it rejects the expression *οὐσία* as unscriptural, and declares the Son to be similar (*ὅμοιον*) to the Father, in

[1] Cf. the notes of the Benedictines on Athanas. *De Synodis*, c. 29.

[2] Theodoret, ii. 21 ; Socrat. ii. 37, *in fine*, p. 141 ; Sozom. iv. 19, p. 569. The latter, however, also adds many incorrect statements.

[3] Athanas. *Ep. ad Afros*, c. 3, t. i. P. ii. p. 714, ed. Patav.; and Hilar. *Contra Auxent.* p. 1267, and *Fragm.* xi. p. 1353 ; Sozom. iv. 19, p. 569.

[4] That this was brought forward, we see from the letter of the Gallican bishops to the Orientals, in Hilar. *Fragm.* xi. n. i. p. 1353 : "Sub auctoritate vestri nominis ad usiæ silentium sunt coacti." The same deceit was subsequently practised at Rimini. Sozom. iv. 19, p. 569.

[5] Athanas. *l.c.*

[6] Socrat. ii. 37, p. 141. This formula of Nice was, as Athanasius (*De Synodis*, c. 30) states, sent from Constantinople to Rimini, either because it was first transmitted to the Emperor from Nice, and then to the bishops at Rimini, or because it was first composed at Constantinople, and sent from thence to Nice, and from Nice to Rimini. Cf. Fuchs, *Biblioth.* vol. ii. p. 257, note 285.

[7] Hilar. *Fragm.* viii. p. 1346.

[8] Athanas. *De Synodis*, c. 30 ; Theodoret, ii. 21.

accordance with the teaching of the Holy Scriptures. But it omits the important addition *κατὰ πάντα*, and thus clearly favours strict Arianism. The offensive heading with the chronological date is also omitted, and at the end is added: "Neither must the expression 'hypostasis' be used of the Father and the Son,[1] and all former as well as all future heresies which contradict this confession are anathematized."

Upon this, the deputies immediately received permission to return to Rimini, and were accompanied by Ursacius, Valens, and the others, who were immediately to procure signatures to this formula at Rimini itself.[2] The Synod of Rimini would not, however, at first hold any communion with their deputies who had shown such weakness, although they pleaded as their excuse the force put upon them by the Emperor.[3] But Constantius had given fresh orders to the Prefect Taurus, not only on no account to let the bishops go until they had signed the formula of Nice, but forthwith to punish with banishment fifteen of those likely to offer the strongest resistance.[4] In order to lay more stress upon the matter, the Emperor had at the same time issued a special edict to the Synod, peremptorily demanding the rejection of *οὐσία* and *ὁμοούσιος*.[5] Those of Arian views also took great pains to represent to each bishop, and especially to those of feeble intellect, that the Easterns would certainly never accept the expression *οὐσία*; and that it would be extremely wrong that a single word, especially one not contained in the Holy Scriptures, should occasion a great division in the Church, while the words in the formula, "the Son is similar to the Father," embraced and reconciled all views.[6] According to Rufinus, they further put the insidious question to the orthodox, "whether they prayed to the word *ὁμοούσιος*, or to Christ? If to Christ, the term in question might be given up without sin."[7] Thus, Rufinus continues,

[1] This is the sense given in the text of Athanasius (*l.c.*); in Theodoret, however, it is said: "The Father and the Son shall not be called one and the same hypostasis."

[2] Sulpic. Sev. *l.c.* p. 347 a; and Hilar. *Fragm.* viii. n. 7, p. 1347.

[3] Sulpic. Sev. *l.c.*

[4] Sulpic. Sev. *l.c.*

[5] This appears from the answer in Hilar. *Fragm.* ix. p. 1347.

[6] Sozom. iv. 19, p. 569.

[7] We are constrained thus to understand the passage in Rufin. *Hist. Eccl.* i.

were the greater number deceived without rightly understanding the matter. Augustine makes the same statement: *multos paucorum fraude deceptos esse.*[1] Sulpicius Severus says that "after the Imperial decrees and the commands and threats of punishment transmitted through Taurus were known, there ensued universal dismay, confusion, and helplessness, and that by degrees the greater number of the orthodox, *partim imbecillitate ingenii, partim taedio peregrinationis evicti,* gave themselves into the hands of their enemies: also that the Church in which the orthodox had hitherto assembled was taken from them, and given over to the opposite party, and that at last only twenty bishops remained firm, conspicuous among whom were Fœgadius (Phœbadius) of Agen, and Servatius of Tongern, who did not suffer themselves to be intimidated by the threats of Taurus."[2] In Hilary we find a servile letter to the Emperor from those bishops who had succumbed, in which they even thank him for his pious care for the orthodox faith, and piteously renew their petition to be allowed to return home.[3] In excuse for them, we can only say that it seems from the address that the idea of this letter probably originated with Valens and his friends.

But the twenty bishops who stood firm were also to be conquered. Phœbadius had already declared that he would rather suffer exile and every punishment than accept an Arian formula. Taurus, therefore, instead of threats and violence, now had recourse to prayers and tears. They surely ought to consider that the bishops had now already been seven months shut up in the town, suffering from the winter and oppressed by poverty, and return was not to be thought of until they also had given in.[4] Where was this to

(x.) 21, although Rufinus himself interprets the account which had reached him somewhat differently, thus: "they were asked if they prayed to the ὁμοούσιος, or to Christ."

[1] Augustin. *Contra Maximinum Arian.* lib. ii. c. 14, n. 3.

[2] Sulpic. Sev. *l.c.*

[3] Hilar. *Fragm.* ix. p. 1347.

[4] Even those who had already signed were not to be released until all had signed, in order the more easily to induce the minority to yield. This appears from the command given to Taurus, quoted by Sulpicius Severus (*l.c.*), and the letter before mentioned from the bishops who had already yielded to the Emperor, given by Hilary, *Fragm.* ix. p. 1347.

end? They ought to follow the example of the majority. When after some days Phœbadius began to yield, Valens and Ursacius, the last tempters, added their persuasions, stating that the formula in question was composed in an entirely orthodox spirit, and that it would be most wrong to reject it after it had been sanctioned by the Emperor and the Orientals. If, however, it still did not fully satisfy the twenty bishops, they could of course make further additions. This proposal seemed to offer means for an equitable adjustment: and, commissioned by their colleagues, Phœbadius and Servatius, now composed several additions to the confession (*professiones*), in the first of which Arius and his whole doctrine were anathematized.[1] Under pretence of supporting the orthodox, Valens proposed the following still further addition: "The Son of God is not a creature, like the other creatures," and the twenty bishops accepted this, without observing that in these very words they expressed the genuine Arian belief that the Son is a creature. All the other additions sounded fully orthodox, and accordingly each party thought itself victorious: the orthodox by reason of the additions, the Arians by reason of the original confession.[2] And, in order to set the former completely at rest, at a public assembly in the church (at which all were present, including those bishops who had yielded previously), Valens, on the proposal of the aged bishop Musonius, who seems this time to have presided, declared himself to be no Arian, and himself read aloud the anathemas contained in the additions of the twenty bishops, to each of which all the rest proclaimed their consent. Jerome gives

[1] Sulp. Sev. *l.c.* These additions may probably be taken as identical with the anathemas given by Hilary (*Adv. Lucifer.* t. iv. pp. 299, 300), as having been spoken at that time by Valens to appease the orthodox: "Si quis negat Christum Deum, Dei Filium ante secula genitum, anathema sit. Ab universis consonatum est: anathema sit. Si quis negat, Filium similem Patri secundum scripturas, anathema sit. Omnes responderunt: anathema sit. Si quis Filium Dei non dixerit æternum cum Patre, anathema sit. Ab universis conclamatum est: anathema sit. Si quis dixerit *creaturam Filium Dei, ut sunt creaturæ cæteræ*, anathema sit. Similiter dictum est, anathema sit. Si quis dixerit, de nullis exstantibus Filium, et non de Deo Patre, anathema sit. Omnes conclamaverunt: anathema sit. Si quis dixerit, erat tempus quando non erat Filius, anathema sit."

[2] Sulpic. Sev. *l.c.* p. 347 a.

this account, and professes to have found it himself in the Acts of Rimini, which we no longer possess. But the statement of Julian [1] the Pelagian, that seven bishops remained firm throughout, is related nowhere else.

With this solemn procedure in the church the Synod of Rimini ended, somewhat differently from the way in which it opened, and it sent another deputation to the Emperor to inform him of what had taken place. The choice fell on Ursacius, Valens, Magdonius, Megasius, Caius, Justinus, Optatus, Martial, and a few others, to whom the Eastern bishops assembled at Seleucia soon afterwards addressed a letter, which is still preserved.[2]

It is now necessary to turn to the Synod of Seleucia. Although the most intelligent bishops of the whole East, from Egypt, Libya, and Thrace, were summoned,[3] only about one hundred and sixty assembled at the capital of Isauria,[4] about the middle of September 359.[5] According to Hilary, by far the greater number, about one hundred and five bishops, were of Semi-Arian views; while of the two other parties, those of Anomœan views, only numbered from thirty to forty,[6] and the strict Homoiüsians (all Egyptians and friends of Athanasius) still fewer. At the head of the Anomœans stood Acacius of Cæsarea in Palestine, Eudoxius of Antioch, George of Alexandria, and Uranius of Tyre: at the head of the Semi-Arians were George of Laodicea, Silvanus of Tarsus, Eleusius of Cyzicus, and Sophronius of Pompeiopolis in Paphlagonia; Basil of Ancyra arrived somewhat later. S. Cyril of Jerusalem, who also may be said to belong to this party, was one of the many Semi-Arians who, as Athanasius testifies, agreed almost entirely with the Nicene doctrine, only taking

[1] In Augustine, *Opus Imperf. contra Julianum*, lib. i. c. 75.

[2] In Hilar. *Fragm.* x. p. 1349. [It is the result of this heretical Council of Rimini which St. Jerome described in the well-known words, "Ingemuit totus orbis et Arianum se esse miratus est."]

[3] See p. 248.

[4] Socrat. ii. 39, gives the number one hundred and fifty. Athanas. (*De Synodis*, c. 12) 160; cf. also Hilar. *Contra Constantium Imper.* n. 12, p. 1248.

[5] Athanas. *De Synodis*, c. 12.

[6] According to Socrates, ii. 39, p. 147, they numbered thirty-four; but according to Epiph. *Hæres.* 73, c. 26, they were forty-three (cf. the note of Petavius, a. h. l. in the appendix to vol. ii.); according to Hilary, *l.c.*, only nineteen.

offence at the expression ὁμοούσιος, because, in their opinion, it contained latent Sabellianism.[1]

The presence of S. Hilary of Poitiers also was of great importance for the Synod of Seleucia. He had been an exile in Phrygia for four years; and, though not expressly summoned by the Emperor to the Synod, was yet sent thither by the Imperial officers, who thought that the command, "All shall come," must also extend to him. He was received at Seleucia with great respect, and was at once asked which belief concerning the Trinity prevailed in Gaul, as the Arians by their lies had spread the suspicion that Gaul professed Sabellianism. When he had made the truth clear, he was received by those present into communion,[2] and did not hesitate to associate with them, more especially as it was a time when most even of the Semi-Arians were not outwardly separated from the Church,[3] and it was thus only that the victory over real Arianism could be hoped for.

On the part of the Emperor, the Quæstor Leonas, who inclined to the Anomœan doctrine, but was in other respects a very worthy man, was appointed as secular moderator of the Synod; and Lauricius, the general in command in Isauria, was assigned him as his assessor in case of necessity.[4] Notaries were also appointed to draw up the Synodal Acts, which Bishop Sabinus of Heraclea soon after inserted in his collections of the Councils, but of which there now only remains an extract given by Socrates and Sozomen.[5]

The bishops assembled at Seleucia brought with them a multitude of complaints against each other. Cyril of Jerusalem, for instance, brought a charge against Acacius of Cæsarea, who had about a year before unjustly deposed him; Acacius, on the other hand, no less complained of Cyril. Besides these, the most famous among the accused were: Patrophilus of Scythopolis, Uranius of Tyre, Eudoxius of Antioch, Leontius of Tripolis in Lydia, Theodotus of Philadelphia,

[1] Athanas. *De Synodis*, c. 12; cf. also Socrat. ii. 39, p. 147.

[2] Sulpic. Sev. *l.c.* p. 346 b.

[3] His reasons for this are given by Hilary in his work, *Contra Constantium Imper.* c. ii. p. 1239.

[4] Socrat. ii. 39, p. 146; Sozom. iv. 22.

[5] Socrat. ii. 39, 40; Sozom. iv. 22.

Evagrius of Mitylene, Theodulus of Cheretapes in Phrygia, and George of Alexandria.[1]

The first sitting was opened, on the 27th September 359, by the Quæstor Leonas, who demanded that they should at once treat of the faith. Many bishops, as it appears the Semi-Arians, objected, and desired first to await the arrival of their heads, Basil of Ancyra, Eustathius of Sebaste, Macedonius of Constantinople, and Patrophilus of Scythopolis, the latter of whom was already at a suburb of Seleucia, but laid up with disease of the eyes. When Leonas, notwithstanding the absence of these bishops, still wished to begin, the Semi-Arians maintained that, before all, the mutual complaints of the bishops must be investigated, appealing on this point to the Emperor's expressed wishes; but he, as we have seen above, had given more explicit directions, and it was therefore decided that the faith should be made the first subject of discussion.[2] We learn from Athanasius that the accused bishops had pressed for this order of proceedings for the purpose of keeping their own affair in the background. After this decision, the followers of Acacius at once demanded the entire rejection of the Synod of Nicæa, and the drawing up of a new confession which should be in accordance with that of Sirmium of the 22d May of that year.[3] Nay, Hilary, as eye-witness, affirms[4] that they dared to say quite openly, "Nothing could be similar to the Divine Essence; Christ was a creature, made from nothing." A fragment of a sermon of Eudoxius of Antioch was also read aloud, containing the following: "God was that which He ever is. He was never Father, for He has no Son; if He had a Son, He must also have a wife. . . . And, in proportion as the Son exerts Himself to know the Father, so the Father exalts Himself that He may not be known by the Son."[5] In contrast to these blasphemies, which, on being read, raised universal displeasure, Hilary praises the conduct of the Semi-Arians, many of

[1] Athanas. *De Synodis*, c. 12; Sulpic. Sev. *l.c.* p. 346 b.
[2] Socrat. ii. 39, p. 147; Sozom. iv. 22, p. 573.
[3] Athanas. *l.c.*; Socrat. ii. 39, p. 147; Sozom. iv. 22, p. 573.
[4] Hilar. *Contra Constant. Imp.* c. 12, p. 1248.
[5] Hilar. *l.c.* n. 13, pp. 1248 sq.

whom expressed themselves very piously, and declared that "the Son was from God, *i.e.* from the substance of God."[1]

The disputation had already lasted until the evening, when Bishop Silvanus of Tarsus exclaimed that "no new confession was required, but that drawn up at the Synod of Antioch *in Encæniis* should be confirmed."[2] Upon this, Acacius and his friends, *i.e.* the strict Arians, withdrew from the assembly; those who remained, however, caused the Antiochian formula just mentioned to be read aloud, and with this the first sitting terminated.[3]

On the following day, the 28th September, they again assembled in the church, and at this sitting the Antiochian formula was signed with closed doors.[4] Whether the few Homoüsians and Hilary were among those who signed is not said; but Socrates relates that Acacius and his friends scornfully remarked concerning the closed doors, that only the works of darkness had cause to shun the light.[5] Further, we see from the introduction to the confession of faith of Acacius and his friends, read at the third sitting, that they too were again present at this second sitting; for Acacius there complained that they had been refused freedom of speech, that many had been insulted, and some had been altogether shut out, while bishops formally deposed or unlawfully ordained were suffered in the ranks of the Synod. But how tumultuous the proceedings had been, Leonas and Lauricius could testify.[6]

On the third day, the 29th September, the Quæstor Leonas again took great pains to unite both parties at a common sitting, at which Basil of Ancyra and Macedonius of Constantinople were also present. The followers of Acacius declared that they would not appear unless the bishops already deposed, or under accusation, were first excluded from the assembly. After much speaking for and against, the Synod agreed to this, in order that there might be no pretext for dissolving the assembly; and those concerned had to with-

[1] Hilar. *l.c.* n. 12, p. 1248.

[2] It is known that the Synod *in Encæniis*, in 341, drew up several formulas. It is not said which is here meant.

[3] Socrat. ii. 39, pp. 147, 148.

[4] *Ibid. l.c.* p. 148.

[5] *Ibid.* c. 40, p. 148.

[6] *Ibid.* c. 40, p. 149.

draw. Thus say Socrates and Sozomen;[1] but Theodoret[2] relates that "several friends of peace tried to persuade Cyril of Jerusalem to withdraw, but that, as he would not comply, Acacius left the assembly." These two conflicting statements may probably be reconciled, by assuming that what Theodoret relates took place at the second sitting, while the account given by Socrates and Sozomen has reference to the third. We are supported in this conclusion by the introduction to Acacius' confession of faith, in which the presence of deposed bishops (like Cyril) at the second sitting is made a special ground of complaint.

At the third sitting, the Acacians, who, after these decisions concerning the deposed bishops, again presented themselves, succeeded, through the cunning of their protector Leonas, in obtaining the reading of the confession of faith which they had composed on the preceding day. Foreseeing that the Synod would protest against such a reading, if it knew beforehand the contents of the document, Leonas, without further specification, declared that Acacius had given him a document which was now to be read aloud. No one dreamed of its being a creed, and therefore no objections were made to the reading.[3] The Acacian formula itself, which begins with the attacks already mentioned, upon the second sitting of Seleucia, runs thus: "We do not despise the Antiochian formula of the Synod *in Encæniis;* but because the terms ὁμοούσιος and ὁμοιούσιος occasion much confusion, and because some have recently set up the ἀνόμοιος, we therefore reject ὁμοούσιος and ὁμοιούσιος as contrary to the Holy Scriptures; the ἀνόμοιος, however, we anathematize, and acknowledge that the Son is similar to the Father, in accordance with the words of the apostle, who calls Him the Image of the invisible God (Col. i. 15). . . . We believe in our Lord Jesus Christ, His Son, who was begotten by Him before all ages without change (ἀπαθῶς), the only begotten God, Logos from God, Light, Life, Truth, and Wisdom . . . . and whosoever declares anything else outside this faith has no part in the Catholic Church."[4]

[1] Socrat. ii. 40; Sozom. iv. 22. [2] Theodoret, ii. 26.
[3] Socrat. ii. 40, p. 148; Sozom. iv. 22, p. 514.
[4] Socrat. ii. 40, pp. 149 sq.; Epiphan. *Hær.* 73, 25; Athanas. *De Synodis*, c. 29.

It is obvious that this formula bears a decided resemblance to the fourth Sirmian, and it is especially remarkable from the circumstance that Acacius, by anathematizing the ἀνόμοιος, separated himself from the Anomœans, thus forming a new party, called after him the Acacians, who sought to occupy a middle position between the Semi-Arians and the Anomœans. Hilary remarks on this, that the Acacians in reality had only dishonestly maintained the similarity of the Son to the Father (for in denying the similarity of substance, they only accepted the similarity of will), and affirmed very obscurely that the Son was indeed similar to the Father, but not to God, —rather dissimilar. God had willed that a creature should exist who should will the same as Himself; therefore the Logos was a Son of the will, not of the Godhead, and similar to the will, but not to the substance of God.[1] After the reading of this, the Semi-Arian, Sophronius of Pompeiopolis in Paphlagonia, exclaimed: "If putting out a private interpretation of one's own every day is to be held as an exposition of faith, all definite grasp of truth will be lost to us." Socrates's remark on this is very just, and applies exactly to the Semi-Arians, *i.e.* that "if, with regard to the Nicene doctrine, this principle had been carried out from the commencement, much disorder in the Church would have been avoided."[2]

The fourth sitting on the 30th September was opened by Acacius, with the remark that "as other formulas than the Nicene had already so often been drawn up, he was also fully justified in doing the like." To this Eleusius of Cyzicus replied, that "the Synod was not assembled for the purpose of embracing a new faith, but to hold fast the faith of the Fathers." By the faith of the Fathers, however, he understood the Antiochian confession; while, as Socrates remarks, that of Nicæa might with far more right be so called. If he considered the bishops of Antioch to be Fathers, he should still more have recognised as such the Fathers of those Fathers, *i.e.* the bishops assembled at Nicæa.[3] Upon this, the Acacians were asked, in what sense they considered the Son similar to the Father? They answered that "He was similar to Him in

[1] Hilar. *Contra Constantium Imper.* n. 14, p. 1249.
[2] Socrat. ii. 40, p. 150. [3] Socrat. ii. 40, p. 151.

will," while all the others, on the contrary, maintained a similarity in substance,[1] and urged against Acacius that he had himself in his writings ascribed to the Son a similarity *κατὰ πάντα*. The debates lasted the whole day, but in the evening Leonas declared the Synod dissolved.[2] When on the following day he was again invited to appear, he replied that "the Emperor had sent him to assist at a Synod which should be the means of effecting a union, but as they were now divided he could no longer be present," and ended with the words: "Go now to the church to carry on your useless chatter."[3] Sozomen affirms that, when the messengers from the Synod came to Leonas, the Acacians had just been with him;[4] and he further agrees with Socrates in saying that from this time, notwithstanding all invitations, they refused to take part in any further sittings of the Synod. Notwithstanding this, the majority again assembled to investigate the affair of Cyril of Jerusalem, and also summoned Acacius for this purpose.[5] All the accused of his party were summoned in like manner. When after repeated summonses they did not appear, the Synod pronounced the sentence of deposition upon Acacius, George of Alexandria, Uranius, Theodos, Evagrius, Leontius, Eudoxius, and Patrophilus, and excommunication upon Asterius, Eusebius, Abgar, Basilicus, Phœbus, Fidelis, Eutychius, Magnus, and Eustathius. At the same time this decision was made known in their respective dioceses; and instead of Eudoxius, Arianus, hitherto a priest of Antioch, was appointed bishop of that city, and at once consecrated at Seleucia. But Leonas, with the help of the Acacians, had him taken prisoner, and exiled him in spite of all the protestations of the Synod.[6]

Under such circumstances, the majority could not help seeing that it was no longer possible for them to arrive at a satisfactory result at Seleucia. They now therefore contented themselves with choosing ten deputies, who, in accordance with

[1] Socrat. *l.c.*; Sozom. iv. 22, p. 576; Hilar. *l.c.* p. 1250.
[2] Socrat. *l.c.* p. 151; Sozom. *l.c.* p. 576.
[3] Socrat. ii. 40, p. 151.
[4] Sozom. iv. 22, p. 576.
[5] Socrat. ii. 40, pp. 151, 152; Sozom. iv. 22, p. 577.
[6] Socrat. ii. 40, p. 155; Sozom. iv. 22, p. 577, and iv. 24, p. 582.

the former Imperial decree, were to be sent to the Court at Constantinople; and all the rest then returned to their Sees.[1] At the head of this deputation were Eustathius of Sebaste, Basil of Ancyra, Silvanus of Tarsus, and Eleusius of Cyzicus;[2] S. Hilary also accompanied them to Constantinople to learn the Emperor's further decision concerning himself.[3]

Of the bishops deposed at Seleucia, some, like Patrophilus and George of Alexandria, without troubling themselves the least about the decisions of the majority, returned to their dioceses; others, on the contrary, repaired to Constantinople to bring before the Emperor complaints against the Synod of Seleucia. They arrived there earlier than the Synodal deputies; and being supported by illustrious persons at the Court, they so far succeeded in gaining the ear of the Sovereign, that he conceived a strong aversion to those who formed the majority at Seleucia, and made several of the bishops, who at the same time held secular offices, feel his displeasure.[4] They succeeded especially in exciting his wrath against Cyril of Jerusalem, who, although a bishop, had, at a time of great distress, sold a costly chrisome-robe, the gift of the Emperor himself.[5] According to Theodoret, it appears that, after the arrival of the Acacians, the Emperor had at first intended to summon to Constantinople all those who were present at Seleucia, but was induced by the Arianizing courtiers, who feared the impression which so great a number might produce, to summon only ten of the most noted members of the Synod. According to this, the ten deputies would only have been despatched in obedience to a fresh order from the Emperor. However this may be, on their arrival at Constantinople, they prayed the Emperor to order inquiries to be made into the blasphemies of Eudoxius;[6] and when Constantius refused to do so, Basil, trusting to the favour he had formerly enjoyed with the Emperor, ventured to remonstrate with him on his

[1] Sozom. iv. 23, p. 577; Sulpic. Sev. *l.c.* p. 346 b.

[2] Theodoret, ii. 27, p. 111, ed. Mog. [3] Sulpic. Sev. *l.c.* p. 347 a.

[4] Socrat. ii. 41; Sozom. iv. 23; Hilar. *Contra Const. Imp.* c. 15, p. 1250; Theodoret, ii. 27.

[5] Theodoret, *l.c.* Cf. also the article, *Cyril of Jerusalem*, in the *Kirchenlexicon*, by Wetzer and Welte, vol. ii. p. 974.

[6] See above, p. 263.

support of heresy. But the Emperor ordered him angrily to be silent, as it was he himself who was the cause of the storms in the Church. Upon this, Eustathius of Sebaste took up the word and produced an exposition of the faith by Eudoxius, in which the latter had given expression to blasphemies against the Son, and clearly declared his dissimilarity to the Father. This was too much for the vacillating Constantius, and he therefore very angrily asked Eudoxius if this had really been written by him. Eudoxius denied it, and designated Aetius as the author. The latter being just then at Constantinople, the Emperor summoned him also, and, upon his confession, he was banished to Phrygia.[1]

Eustathius took advantage of this to overthrow Eudoxius also, and endeavoured to prove that he held the same views as Aetius. And when the Emperor declared that he could condemn no one upon conjectures, Eustathius remarked that Eudoxius might entirely clear himself of all suspicion if he would only anathematize the proposition of Aetius. This proposal pleased the Emperor, and to escape banishment Eudoxius was obliged to condemn views which he inwardly himself acknowledged, and at a later period again openly defended. In order to revenge himself, he demanded on the other side that Eustathius and his friends should also anathematize the expression ὁμοιούσιος, as it was not contained in Holy Scripture.[2] Silvanus of Tarsus at once replied that neither were the words, "the Son is from nothing, a creature, and ἑτερούσιος," to be found in the writings of the Apostles and Prophets; and actually so far influenced the Emperor, that he obliged the opposite party also to subscribe to the rejection of these propositions. Acacius and Eudoxius now all the more strongly urged the Emperor against the ὁμοιούσιος; and as Silvanus and Eleusius persisted in adhering to it, and sought to justify the expression, the Emperor drove them from their

[1] Theodoret, ii. 27.

[2] Theodoret, *l.c.* p. 113, it is true, says ὁμοούσιος, but it ought without doubt to be ὁμοιούσιος, because Silvanus and Eleusius had already the year before at the Synod of Ancyra (in the last anathema) anathematized the ὁμοούσιος, and they were heads of the Semi-Arians. Only in 366 did they also accept the creed of Nicæa. Cf. Remi Ceillier, *l.c.* p. 552; and Fuchs, *Biblioth. der Kirchenversammlung*, vol. ii. p. 273, note.

Sees, and a few months later had them deposed by the Synod of Constantinople.[1]

Meanwhile the second deputation from Rimini, consisting of Ursacius, Valens, and their colleagues, who had been despatched after the subjugation and fall of that Synod, had arrived in Constantinople.[2] As they here immediately joined the Acacians, the Semi-Arians, Silvanus, Sophronius,[3] etc. addressed a letter to them, which is still preserved, in order duly to inform and caution them concerning all that had taken place. They here say that the Emperor himself had rejected the Anomœan doctrine (in the proposition of Aetius), but that a fraud was now contemplated by which indeed the person of Aetius should be anathematized, but nothing said of his doctrine. They, the deputies from Rimini, should communicate all this to the Western bishops.

Valens and Ursacius, however, received this letter very ill, and continued to hold communion with the Acacians. They now indeed again put forward their real views unmistakeably, when they interpreted in an Arian sense, in opposition to S. Hilary and the deputies from Seleucia, the decisions of Rimini, to which it appears the latter had appealed.[4] That Synod had, they said, declared that the Son was a creature, in saying that "He was not a creature like other creatures." And if it maintained that "He was not from nothing," this in no way meant that "He was from God," but only "from the will of God" (like the creature); and if they ascribed to Him eternity, then eternity, as with the angels, meant *a parte post* (or *pro futuro*), not *a parte ante*.[5]

This help came very opportunely to the adherents of Arianism at the Court; they agreed to and praised that which had taken place at Rimini, and demanded that the formula (of Nice, probably with the additions of Phœbadius)[6] there universally signed should also be universally accepted by the deputies from the Synod of Seleucia—as by the Westerns, so also by

[1] Theodoret, *l.c.*; cf. below, pp. 272 sq. [2] Sulpic. Sev. *l.c.* p. 347 a.

[3] In the heading of this letter there are names of bishops who did not belong to the deputies from Seleucia, but yet were with these at Constantinople. Cf. Remi Ceillier, *l.c.* p. 554.

[4] Hilar. *Fragm.* x. n. 3, p. 1351. [5] Hilar. *l.c.* n. 3, p. 1351.

[6] See above, pp. 257, 260.

the representatives of the East. The deputies from Seleucia at first refused, and, as Homoüsians, would not agree in the rejection and removal of the word *οὐσία*. But they were somewhat more disposed to yield when the Acacians, in order to pacify them, swore that they were themselves in no way Anomœans, and even anathematized that doctrine. The Emperor especially pressed, in place of the *ὁμοιούσιος*, which was unscriptural and only occasioned strife, the choice of the Bible expression *ὅμοιος* (similar), which really bore quite the same meaning as *ὁμοιούσιος*. He therefore demanded vehemently and with threats that the deputies from Seleucia should also sign the formula of Rimini (the Acacians having already gladly done so of their own accord); and after having, on the last day of the year 359, discussed the matter with the bishops till far into the night, he at length extorted their signatures; thus gaining the much desired but—when obtained by such means—useless result of the acceptance and signature by both portions of the double Synod (as also by Eustathius and the other heads of the Semi-Arians) of one and the same formula.[1] It is in this connection that Jerome says: *ingemuit totus orbis et Arianum se esse miratus est.*[2] The ecclesiastical concord, however, which the Emperor had aimed at was not in any degree obtained.

Sec. 83. *Synod of Constantinople in* 360.

After this victory the Acacians remained some time longer in Constantinople, and after a few weeks made arrangements for another new Synod in 360, to which they summoned the bishops of Bithynia.[3] As soon as fifty were assembled, the Synod was opened; and among those present, besides Acacius and Eudoxius, were Uranius of Tyre, Demophilus of Berœa, George of Laodicea, Maris of Chalcedon, and the celebrated Ulfilas, Bishop of the Goths.[4] Many more seem to have made their appearance

[1] Sozom. iv. 23; Sulpic. Sev. *l.c.* p. 347 a; Basil. M. *Epp.* 244–263; Hilar. *Contra Constant. Imp.* n. 15, p. 1250. It appears that the signature of Hilary himself was not demanded as he was not a Synodal deputy, and there could be no hope of obtaining it from him.

[2] Jerome, *Dial. adv. Luciferianos*, n. 19.

[3] Sozom. iv. 24.

[4] Sozom. iv. 24.

later. S. Hilary also was still in Constantinople, but his wish to be allowed to hold a disputation with the Arians was not granted; on the contrary, the Emperor sent him, as the cause of disturbance in the East, back again to Gaul, without however recalling the sentence of banishment.[1] The Synod of Constantinople, governed by Acacius and his friends, forthwith confirmed the confession already composed at Nice and forced upon the Fathers at Rimini, in which both terms—ὁμοιούσιος as well as ὁμοούσιος—were rejected, the term οὐσία repudiated altogether, and only the simple ὅμοιος allowed.[2] Evidently by this the orthodox and Semi-Arian on one side, and on the other the Anomœan or strict Arian doctrine was rejected; and the middle position held by the Acacians, and which had proved victorious at Seleucia-Rimini, was again confirmed. Consistency and prudence now demanded that Aetius, as the author of the Anomœan doctrine, should be deposed, especially as thus only could all suspicion (entertained also by the Emperor) that the Acacians were themselves of Anomœan views be allayed. The Synod now therefore declared Aetius deposed from the dignity of the diaconate, for having written litigious books, made use of impious expressions, and occasioned disturbances in the Church.[3] The Emperor banished him first to Mopsuestia in Cilicia, and because he was there far too well received by Bishop Auxentius, to Amblada in Pisidia,[4] where he still further spread his errors, and sought to defend them by a work with which we are partly acquainted through S. Epiphanius' refutation.[5]

But the Semi-Arians, with whom the Acacians were at still greater enmity, and with whom they had less in common than with the Anomœans, were also to be suppressed. As, however, the Semi-Arians at Seleucia and Rimini had signed the same confession as the Acacians, and also stood in some degree in the Emperor's personal favour, the Acacians did not

[1] Sulpic. Sev. *Hist.* lib. ii. *l.c.* p. 347; Hilar. lib. ii. *ad Const.* c. 3, p. 1226.

[2] Cf. above, p. 257; also Mansi, t. iii. p. 331; and Hard. t. i. p. 725.

[3] The Synodal Letter concerning this deposition, addressed to the Arian Bishop George of Alexandria, whose deacon Aetius was, is given in Theodoret, *Hist. Eccl.* ii. 28, and also in Mansi, t. iii. p. 325, and Hard. *l.c.* Cf. also Sozom. iv. 24.

[4] Philostorg. lib. v. c. 1, 2.

[5] Epiph. *Hær.* 76.

make the faith the weapon for their overthrow, but employed other means and brought various different charges against them. The first of those whose deposition they pronounced was Bishop Macedonius of Constantinople, for having admitted into communion a deacon convicted of unchastity. They also said that he had occasioned the death of many persons in the act of removing by violence the body of Constantine the Great from a dilapidated church into another, notwithstanding the opposition of some of the people, on which occasion blood had flowed freely in the church itself, and the baptismal water had been mixed with blood.[1] Bishop Eleusius of Cyzicus was also deposed for having baptized and then immediately ordained a heathen priest (of the Tyrian Hercules) who was also a magician. Bishop Basil of Ancyra, one of the heads of the Semi-Arians, shared the same fate, for having treated with violence various clerics, and by help of Imperial officers ill-treated, imprisoned, bound with chains, and banished others of the strict Arian party. He had also, as they said, stirred up the clergy of Sirmium against Bishop Germinius, occasioned disturbances in Illyria, Italy, and Africa, and also perjured himself.[2] Whether he defended himself, or how, is uncertain; perhaps, indeed, he was not allowed to make his defence any more than was Bishop Eustathius of Sebaste, of whom they alleged that as a priest he had already been deposed by his own father, on account of unclerical attire, and afterwards by Eusebius of Constantinople, and excommunicated by a Synod at Neocæsarea.[3] He it was who was subsequently deposed from his bishopric by the Synod at Gangra on account of erroneous doctrine and irregular behaviour (hyper-asceticism).[4] Heortasius of Sardis, Dracontius of Pergamum, Silvanus of Tarsus, Sophronius of Pompeiopolis, Elpidius of Satala, Neonas of Seleucia,[5] and S. Cyril of Jerusalem were also deposed, the latter for having held communication with Eustathius of Sebaste, Elpidius, Basil of Ancyra, and George of Laodicea.

[1] Socrat. ii. 38–42; Sozom. iv. 24.

[2] Socrat. ii. 42; Sozom. iv. 24.

[3] Socrat. ii. 43; Sozom. iv. 24.

[4] According to Sozom. *l.c.*, the deposition of Eustathius at the Synod of Gangra preceded his deposition at Constantinople in 360.

[5] Sozom. iv. 24.

The secret reason, however, probably was, that Cyril, Bishop of Jerusalem, had long ago refused to recognise the metropolitan rights of Acacius of Cæsarea, and for this reason had already before been deposed by him, and on the pretext that at a time of distress he had sold vessels, etc., belonging to the Church.[1]

In deposing all these bishops the Acacians acted in a violent and disorderly manner, being at the same time both accusers and judges, so that S. Gregory of Nazianzus and Basil the Great in later years never mention this Synod but with severe censure.[2] The Emperor Constantius, however, confirmed their decisions, and sent the deposed bishops into banishment, giving their Sees to others. Now, therefore, Eudoxius of Antioch was translated from Antioch to the archbishopric of Constantinople, on the 27th January 360, just about the time that the ancient church of S. Sophia, begun by Constantius in 342 (the later one was built by Justinian), was solemnly consecrated.[3] The Acacians, however, raised the well-known Eunomius, a second head of the Anomœans, to the bishopric of Cyzicus, thus strengthening the suspicion that in their deposition of Aetius they had not really been in earnest, and that it was only from policy, on account of the Emperor, that they had thus acted.[4]

According to the account given by the Synod itself in its letter to Bishop George of Alexandria, several bishops would not sign the decision against Aetius, for which reason the Synod refused for a time to hold communion with them, granting them a space of six months, at the expiration of which term they should either accept the decree or be deposed. According to Sozomen,[5] however, it was not the decision against Aetius, but the other unjust depositions, against which ten bishops protested. But the above statement of the Synod itself is confirmed by a statement of Philostorgius,[6] that the sentence pronounced by this Synod against Serras, Heliodorus, and other Aetians had been revoked

[1] Sozom. iv. 25 ; Socrat. ii. 42. Cf. above, p. 268.
[2] Gregor. Naz. *Orat. XXI.* ; Basil. M. lib. i. *Contra Eunom.* t. i. p. 210.
[3] Sozom. iv. 25, 26 ; Socrat. ii. 42, 43.
[4] Sozom. iv. 24.
[5] Sozom. iv. 25.
[6] Philostorg. vii. 6.

by a strict Arian Synod at Antioch under the Emperor Julian.

Lastly, before its close, the Synod of Constantinople sent the confession of Rimini (really Nice) to all the bishops of Christendom, together with an edict of the Emperor's, according to which all who did not sign would be punished.[1] In truth, no violence was spared to gain this end, and the greater number of bishops in the West, as in the East, were forced through fear and by threats to give the required signature to the creed; this was, for instance, the case with Gregory the elder, father of S. Gregory of Nazianzus, and Dianius of Cæsarea, the fatherly friend of S. Basil the Great.[2]

Sec. 84. *Synods of Paris and Antioch about* 361.

Under such circumstances, the outspoken frankness of the Gallican bishops produces a favourable impression. Upon the news of the events in the East in 360 or 361, they assembled at Paris, and in a Synodal Letter to the Easterns, still extant, pronounced most decidedly for the Nicene ὁμοούσιος.[3]

Soon after this, the Emperor Constantius assembled a smaller Synod at Antioch in 361, where he was then staying, for the purpose of appointing a new bishop to that city. The choice fell upon Meletius, who had hitherto been partly at least on the Arian side; but after his promotion he immediately declared for the Nicene doctrine, and was on this account, a few weeks later, again driven away by the Emperor.[4] Soon afterwards, on the 3d November 361, Constantius died, and was succeeded by Julian the Apostate, who, as is well known, recalled all

[1] Sozom. iv. 26; Socrat. ii. 43.

[2] Sozom. iv. 26, 27; Gregor. Naz. *Orat. XIX.*; Basil. M. Epist. 51; Jerome, Chronic. ad ann. 371. [Dianius had baptized Basil, who was greatly attached to him, but after this act of apostasy ceased to hold intercourse with him. Two years later, Dianius, when on his deathbed, sent for Basil and solemnly professed his adherence to the Catholic faith.]

[3] See Hilar. Patav. *Fragm.* xi. p. 1353; Hard. t. i. p. 727; and Mansi, t. iii. p. 358.

[4] Cf. my treatise on the Meletian schism in the *Kirchenlexicon* by Wetzer and Welte, vol. vii. pp. 42 sqq. [See also Newman's *Arians*, pp. 372 sqq.]

the banished bishops. Under these circumstances, many of them, among whom Athanasius and Eusebius of Vercelli are conspicuous, recognised the great necessity, especially on account of the heathen Emperor, for restoring unity among the Christians themselves.[1] On the proposal of Eusebius of Vercelli, therefore, Athanasius organized a Synod at Alexandria in 361 for the purpose of considering the conditions and means for the restoration of peace in the Church.[2]

Sec. 85. *Synod at Alexandria.*

Only twenty-one bishops, indeed, personally took part in this Synod,[3] but yet its decisions found wide acceptance. Among those whose presence was especially desired was the zealous Bishop Lucifer of Cagliari, who, however, sent two deacons as his representatives, believing his presence in person at Antioch to be more important.[4]

An over-strict party at the Alexandrian Synod at first demanded that any who sought to re-enter the communion of the orthodox, after having been contaminated by any sort of communion with the heretics, should be for ever excluded from the clerical office. The greater number, however, pointed to the Bible example of the reception of the prodigal son, and carried the milder resolution, that all who, without being themselves Arians, had only been drawn by force and other such means to the side of the heretics, should receive pardon, and retain their ecclesiastical dignity and offices. On the other hand,

[1] ["At this critical moment Constantius died, when the cause of truth was only not in the lowest state of degradation, because a party was in authority and in power who could reduce it lower still; the Latins committed to an anti-Catholic creed, the Pope a renegade, Hosius fallen and dead, Athanasius wandering in the deserts, Arians in the Sees of Christendom, and their doctrine growing in blasphemy and their profession of it in boldness every day. The Emperor had come to the throne when almost a boy, and at this time was but forty-four years old. In the ordinary course of things, he might have reigned till orthodoxy, humanly speaking, was extinct."—Newman's *Notes on Treatises of Athanasius*, p. 127 e, quoted in 3d ed. of *Arians*, p. 362.]

[2] Rufin. *Hist. Eccl.* i. (x.) 27, 28.

[3] Cf. the heading and signatures of the Synodal Letter, of which more will be said later.

[4] Rufin. *l.c.*

the heads and actual defenders of the heresy should, indeed, if repentant, be again received into the Church, but excluded from office. But neither class could be received except on condition of their anathematizing the Arian heresy and its chief supporters, accepting the Nicene faith, and acknowledging the Nicene Council as of the highest authority.[1] The Synod at the same time commissioned two of its most esteemed members, Eusebius of Vercelli and Bishop Asterius of Petra, to see to the carrying out of this decision in the East and West;[2] and Athanasius affirms that Synods in Gaul, Spain, and Greece passed the same decree. This was also confirmed by Pope Liberius,[3] and, according to Jerome, accepted throughout the whole West.[4]

The second object of the Alexandrian Synod was to treat in detail of the doctrine of the Holy Ghost, as the Pneumatomachian errors had already appeared, with the assertion that it was perfectly compatible with the Nicene faith, and not Arian, to declare that the Holy Ghost was a creature. Against this new heresy the Synod declared, that "the Holy Ghost was of the same substance and divinity with the Father and the Son, and that in the Trinity there was nothing of the nature of a creature, nothing lower or later."[5] From the Synodal Letter of this Council to the Antiochians, we see that it attached great weight to this point concerning the Holy Ghost, and demanded from all who desired to return to the Church the condemnation of this heresy.[6]

The terms *οὐσία* and *ὑπόστασις* formed the third subject for the consideration of the Synod. The Greeks for the most part employed the word *ὑπόστασις*, in a sense differing from the ancient Greeks, to denote the Persons of the Godhead; but many Latins and also many Greeks were of opinion that *οὐσία*

[1] Rufin. *Hist. Eccl.* i. (x.) 28; Athanas. *Epist. ad Rufinianum*, Opp. t. i. P. ii. p. 768, ed. Patav.

[2] Rufin. *l.c.* i. (x.) 29.

[3] So says the copy of the *Epist. Athanasii ad Rufin.*, which was read at the second Synod of Nicæa, *Actio* i.; cf. Hard. t. iv. p. 58. The same is said in the *Auctor vitæ S. Eusebii*, quoted in Mansi, t. iii. p. 356.

[4] Jerome, *Adv. Lucifer.* p. 302.

[5] Rufin. *l.c.* i. (x.) 29.

[6] Cf. the Synodal Letter (called Tomus) in Athanas. t. i. P. ii. p. 616; also in Mansi, t. iii. p. 347; and Hard. t. i. p. 731.

and ὑπόστασις were in fact identical, and therefore that whoever taught three hypostases was a thorough Arian. On the other hand, those who spoke only of one hypostasis were naturally suspected of Monarchianism; and the Latin term *personæ*, as identical with the Sabellian πρόσωπα, was accused of Sabellianism. Thus many mutually regarded each other as heretics, though only differing from one another in outward expression. S. Athanasius, who was acquainted with both languages, very clearly perceived this, and to put an end to these misunderstandings, caused both parties to make a declaration of their faith, which gave full and mutual satisfaction, so that each was convinced of the orthodoxy of his supposed enemy, and they jointly pronounced the anathema upon Arius, Sabellius, Paul of Samosata, and others.[1] According to Gregory of Nazianzus, both parties were left free from henceforth to keep their own form of expression.[2]

The fourth subject related to the manhood of Christ, concerning which a disputation had arisen, probably occasioned by the monks sent by Apollinaris.[3] Again both parties had to give a more precise explanation of their views, and each acknowledged that the Word of God had become true Man, and had not only taken a human body, but also a human soul.[4] It would appear from this that the Apollinarians either yielded or else concealed their true views, and by their distinction between ψυχή and πνεῦμα escaped from the noose.

At its close the Synod sent Eusebius of Vercelli and Asterius of Petra to Antioch, to effect a reconciliation between the Meletians and Eustathians. At the same time they sent to Antioch the Synodal Letter already often mentioned, probably the work of Athanasius, and still to be found among his

[1] Cf. Rufin. *l.c.* i. (x.) 29, with the Synodal Letter in Athanasius, *l.c.* p. 617; in Mansi, *l.c.* p. 350. Socrates (*Hist. Eccl.* iii. 7) quite incorrectly relates that the Synod decided that "the expressions ὑπόστασις and οὐσία should not be used at all with reference to God." The correct account is given in the Synodal Letter.

[2] Gregor. Naz. *Orat. XXI.* p. 409.

[3] Mentioned in the Synodal Letter in Athanas. *l.c.* p. 619, n. 9; Mansi, *l.c.* p. 354.

[4] Cf. the Synodal Letter, p. 618, n. 7, in Athanas. *l.c.*, and p. 350 sq. in Mansi, *l.c.*; also Rufin. *l.c.*

works under the title of *Tomus ad Antiochenos*,[1] the heading of which has, however, raised unnecessary doubts. For in this heading it is said that the letter proceeded from Athanasius, Eusebius, Asterius, etc., while at the same time Eusebius and Asterius are mentioned among others as those to whom the letter was addressed. This apparent contradiction may, however, be explained thus, that this Tome is at once a Synodal Letter,—and as such proceeds from Eusebius and Asterius also,—and an instruction according to which Asterius and Eusebius were to bring about the reunion of the Antiochians.[2]

When Eusebius arrived at Antioch, Lucifer of Cagliari had already chosen a bishop for the Eustathian party, the priest Paulinus, who now indeed supplementarily signed the Synodal Letter sent him from Alexandria, but whose promotion rendered the settling of the Antiochian disturbances for the present impossible. In addition to this, the over-zealous Lucifer would by no means consent to the mild treatment decided on at Alexandria with regard to former Arians, and therefore renounced all communion with Eusebius, Athanasius, and their friends, thus causing a fresh schism, called the Luciferian. Notwithstanding all this, an immense advantage was gained by the Alexandrian Synod, and those subsequently held in Gaul, Spain, Greece, and elsewhere, in that hundreds of bishops who, without being really Arian, had by their own weakness, or through the cunning and malice of the heretics, been driven over to that side, now returned to the Church, most solemnly declaring that they had been ignorant of the heretical meaning of the confession of Rimini (really Nice), and had not shared the blasphemous doctrines concerning the Son therein contained.[3] This was most widely the case in the West, so that Arianism there almost entirely disappeared. But among the Greeks also countless numbers returned to the Church, so that soon afterwards Athanasius was able once more to point

[1] In Athanas. *Opp.* t. i. P. ii. p. 613, ed. Patav. ; in Mansi, t. iii. p. 346 ; Hard. t. i. p. 730 ; in German, Fuchs, *Biblioth. der Kirchenvers.* vol. ii. p. 282.

[2] Cf. Remi Ceillier, *Hist. Générale*, etc., t. v. p. 591, and note 2 of the Benedictine editors on Athanas. t. i. P. ii. p. 615, ed. Patav.

[3] Augustin. *De Agone Christiano*, c. 30, T. vi. p. 260, ed. Bened. ; Jerome, *Adv. Lucif.* p. 301.

to the Nicene doctrine as the universal faith of the Christian world.[1] Yet in the East there still remained a tolerably strong party of strict Arians, supported by the Emperor Julian; perhaps for the very reason that he recognised, or at least anticipated, the close connection between consistent Arianism and heathenism. Aetius, the head of the Anomœans, enjoyed the special favour of the Emperor, and received from him the present of an estate at Mitylene.[2] The strict Arians now also assembled at several synods, notably at Antioch, under the presidency of the bishop of that city, Euzoius, and declared the sentence of deposition pronounced upon Aetius at Constantinople in 360 to be null and void. In like manner they did away with the term of six months which at Constantinople had been appointed for the followers of Aetius; and Aetius himself, with many of his adherents, were now consecrated bishops.[3] Besides Aetius and Eunomius, Euzoius of Antioch, Leontius of Tripolis, Theodulus of Chairatopœ, Serras, Theophilus, and Heliodorus from Libya, were now the leaders of this party, and Eudoxius of Constantinople also favoured them, although he appears to have lacked the courage openly to join them.[4]

Sec. 86. *The Macedonians and their Synods.*

As is known, Eudoxius came to the See of Constantinople when the Semi-Arian Macedonius was deposed through the preponderance of the Acacians at the Synod of Constantinople. But after his deposition, Macedonius became far more prominent than before, as on one side he and his friends not only inflexibly maintained the middle position between the real Arians and the Nicenes, as well as their shibboleth of the similarity of the Son in substance also, but—what was of far greater importance—brought the whole controversy about the Trinity into a new phase of development, by consistently drawing the relation of the Holy Ghost to the Father and the Son within the range of discussion, and explaining it in a Pneumato-

[1] Athanas. *De Fide ad Jovianum Imperat.* c. 2, t. i. P. ii. p. 623, ed. Patav.
[2] Philostorg. lib. ix. n. 4.
[3] Philostorg. lib. vii. c. 6.
[4] Philostorg. lib. vii. c. 5.

machian manner, by the statement that the Holy Ghost was lower than the Father and the Son, their servant, a creature,[1] and similar to the angels. He was immediately joined by several of the old Semi-Arians, especially Eleusius of Cyzicus, Eustathius of Sebaste, and, as Sozomen affirms, by all who had been deposed by the Acacians at Constantinople, and therefore notably by Basil of Ancyra. Bishop Marathonius of Nicomedia, formerly a high State official, was one of the chief supporters of this party. Some time before, by the advice of Eustathius of Sebaste, he had become a monk and deacon of Macedonius, and had also founded a convent at Constantinople. By means of the esteem in which he was held on account of his virtues, and through his large connection, he made himself so highly useful to his new friends, that they were often called after him Marathonians, as before Macedonians. As the other heads of this party, like Marathonius, also distinguished themselves by their ascetic life, their doctrine soon spread considerably, not only in Constantinople, but also throughout the whole of Thrace, Bithynia, on the Hellespont, and in the neighbouring provinces ;[2] and they took advantage of the reign of Julian to proclaim plainly at different Synods, especially at Zele in Pontus, their separation from the orthodox on the one hand, and from the Arians on the other.[3] In these latter they found their most violent opponents, who everywhere drove them from their churches, especially under the Arian Emperor Valens, so that, as Sozomen affirms, it was only under the Emperor Arcadius that they first became possessed of any churches.[4]

Sec. 87. *Synods at Alexandria and Antioch in* 363.

After Julian the Apostate's premature death on the 26th of June 363, his general Jovian, who had always been a decided follower of Christianity, was hardly raised to the throne when he recalled S. Athanasius, whom Julian had again

[1] Sozom. iv. 27.

[2] *Ibid.* iv. 27 ; Socrat. ii. c. 38, 45.

[3] Basil. M. Epist. 251, p. 388.

[4] [Valens succeeded Julian in 364, after the short intermediate reign of Jovian. Arcadius became Emperor in 395.]

banished;[1] and, in order to win for himself a firm footing amid the confusions of the Church, begged of him an explanation in writing of the true faith held by the Church concerning the Trinity. Upon this Athanasius immediately summoned a large Synod at Alexandria, and composed by its direction and in its name a Synodal Letter to the Emperor, which we still possess, in which he commended to him the Nicene as the true faith which from the beginning had always been preached in the Church, and which even now, notwithstanding the Arians, was almost universally accepted; so that the small number of its opponents could be no argument against it. At the end, as a supplement to the Nicene creed, which is itself given in the letter, the orthodox doctrine concerning the Holy Ghost is very shortly appended, *i.e.* that the Holy Ghost must not be separated from the Father and the Son, and must together with them be glorified, because there only is "*μία θεότης ἐν τῇ ἁγίᾳ τριάδι.*"[2]

When, forthwith, the various parties turned to the Emperor, in order, if possible, to win him over to their side, and to renew the game they had played so successfully with Constantius, Jovian declared to the Macedonians that he had no love for disputes, but rather desired peace, and that he preferred the Homoüsian doctrine to all others.[3] Upon this, Acacius of Cæsarea, hitherto a most zealous Arian, who, however, would always be on the winning side, found it advisable, with Meletius of Antioch and twenty-five other bishops, to

[1] When Athanasius was not only restoring peace among the Christians, but also gaining over many heathens, the Emperor Julian declared that "he had indeed allowed the Galileans to return to their fatherland, but not to their Churches (Sees), and was angered that Athanasius, that enemy of the gods, who had so often been banished by the Emperors, should have dared without special orders to return to Alexandria." Julian. *Ep.* vi. xxvi.; Theodoret, *Hist. Eccl.* iii. 9.

[2] The Synodal Letter is given in Athanas. *Opp.* t. i. P. ii. pp. 622 sqq. ed. Patav.; and Theodoret, iv. 3. In the latter place the letter has an additional sentence, in which is expressed the hope that Jovian might long remain Emperor. Baronius conjectured that the Arians had inserted this sentence for the purpose of making Athanasius appear a false prophet. But others think that, as Jovian died so soon afterwards, the sentence in question was again withdrawn. The Synodal Letter is also printed in Mansi, t. iii. pp. 366 sqq.; and Hard. t. i. p. 739; translated in Fuchs, *l.c.* p. 293.

[3] Socrat. iii. 25.

assemble a Synod at that city, and there in 363 formally to sign and solemnly to acknowledge the Nicene creed. But in order to leave a loophole for themselves, they inserted the following sentence in their Synodal Letter to the Emperor Jovian: "The word ὁμοούσιος, which is strange to some, was most carefully explained by the Fathers at Nicæa, and means that the Son is born of the substance of the Father, and is in respect of substance similar to Him (ὅμοιος κατ᾽ οὐσίαν)."[1] Clearly by this they intended somewhat to weaken and Semi-Arianize the expression ὁμοούσιος; and in fact Meletius was suspected by many of equivocation on account of his share in this matter.

Sec. 88. *Valentinian and Valens. The Synods at Lampsacus, Nicomedia, Smyrna, Tyana, in Caria, etc. Temporary Union of the Macedonians with the Orthodox.*

To the great detriment of the orthodox cause, Jovian died suddenly, probably by violence, on the 16th February 364, in the eighth month of his reign. Chrysostom affirms that he was poisoned by his body-guard, while Ammianus Marcellinus hints that he was suffocated in his bed. The military and civil high officers now chose from among their number the General Valentinian as Emperor, on the 26th February 364, and he immediately made his brother Valens co-Emperor and ruler of the East. Valentinian had already, under Julian the Apostate, proved himself a zealous, and indeed orthodox Christian, in preferring rather to give up his office and go into prison, than forsake his faith. But his brother Valens held Arian views; and while Valentinian displayed the utmost tolerance towards the Arians, and even towards the heathen, Valens emulated his predecessor Constantius in party spirit and hatred of the orthodox, in which he was greatly influenced by his wife and the well-known Arianizing Bishop Eudoxius of Constantinople, who had baptized him.[2]

With the permission of the new Emperor Valens, the

[1] This Synodal Letter is given by Socrat. iii. 25, and Sozom. vi. 4; also printed in Mansi, t. iii. p. 370, and Hard. t. i. p. 742.

[2] Theodoret, *Hist. Eccl.* iv. 12.

Macedonians, under the presidency of Eleusius of Cyzicus, held a Synod in 365 at Lampsacus on the Hellespont, which declared invalid what the Acacian Council at Constantinople in 360 had decided, viz. the deposition of the Semi-Arians, as well as the confession of faith of that Synod (identical with that of Nice-Rimini); sanctioned the Semi-Arian formula, ὅμοιος κατ' οὐσίαν; renewed the confession of Antioch (*in Encæniis*), and pronounced Eudoxius and Acacius, the latter of whom had already again returned to Arianism, deposed.[1]

The Macedonians then at once applied to Valens to obtain the confirmation of their decrees; but Eudoxius had already gained his ear, and therefore, when the ambassadors from the Synod came to him at Heraclea, he directed them to hold communion with Eudoxius. When they opposed this, he sent them into banishment, and gave away their Sees to the followers of Eudoxius. Many other Semi-Arians shared the same fate; many were also fined, or tortured in various ways.[2] The fate of the orthodox was still worse; throughout the East they were robbed of their Churches, and oppressed by Valens in every possible way.[3] He sent almost all the orthodox in the East into banishment, especially S. Meletius of Antioch, and S. Athanasius of Alexandria, while Basil the Great only by peculiar circumstances escaped the same fate. To what a height this storm of persecution rose, one out of many examples will show. In order to put a limit to these constant persecutions and acts of violence, eighty orthodox ecclesiastics repaired to the Emperor at Nicomedia to entreat him to pursue a milder policy. For this he condemned them to banishment, and had them taken to a ship, which was to convey them across the Black Sea into exile. He secretly, however, gave orders that, when on the open sea, the ship's crew should get into two boats, and set the ship on fire. In this way the sea was to hide the shameful deed. But a strong wind drove the ship into a port of Bithynia, where the fire indeed destroyed it, with the eighty orthodox ecclesiastics, but the crime was thus made known.[4] This took place about

[1] Sozom. vi. 7; Socrat. iv. 2, 3, 4.
[2] Sozom. *l.c.* [3] Sozom. vi. 10; Socrat. iv. 12.
[4] Socrat. iv. 16; Sozom. vi. 14; Theodoret, iv. 24.

the year 370, some years after the Synods of which we are now speaking.

Such a synod was assembled by the Emperor Valens in 366, during his presence at Nicomedia, with the object of bringing Arianism still more into power. Eleusius of Cyzicus, who was, as we know, one of the most distinguished Semi-Arians, here allowed himself to be induced by threats to enter into communion with Eudoxius. But he had hardly returned to his bishopric when he was seized with deep remorse, and prayed that another bishop might be chosen in his stead, as he had become unworthy. The people of his diocese, however, loved him too much to agree to this.[1]

In order to escape complete annihilation, the Macedonians, or Semi-Arians (both names were at that time still used as identical), held various Synods at Smyrna, Pisidia, Isauria, Pamphylia, Lycia, and especially in Asia Minor, where they decided to send deputies to the Western Emperor Valentinian, and to Pope Liberius, offering to unite with them in faith. For this purpose they made choice of the Bishops Eustathius of Sebaste, Silvanus of Tarsus, and Theophilus of Castabala in Cilicia. When these arrived in Rome, Valentinian had already departed for Gaul, where he had to carry on a war against the barbarians. They did not meet him therefore, neither would Pope Liberius at first receive them, as they were Arians. They, however, declared that they had long since returned to the right path, and recognised the truth. Nay, they had already before condemned the doctrine of the Anomœans, and in declaring that "the Son was similar to the Father in all things," had in fact simply taught the ὁμοούσιος. At the demand of the Pope, they handed in a written confession of faith, in which they solemnly assented to the Nicene doctrine, and recited the Nicene creed word for word, expressly declaring that the expression ὁμοούσιος was chosen "holily and piously" as opposed to the wicked doctrine of

[1] Socrat. iv. 6; Sozom. vi. 8. The further statement of these two historians, that Eunomius was then appointed bishop of Cyzicus by Eudoxius is incorrect. The promotion of Eunomius took place at an earlier time; in 366, however, he was no longer in possession of the See of Cyzicus. Cf. Philostorg. v. 3, and Theodoret, ii. 27, 29, and the notes of Valesius on Socrat. iv. 7.

Arius; and they anathematized Arius and his disciples, also the heresy of the Sabellians, Patripassians, Marcionites, Photinians, Marcellians (followers of Marcellus of Ancyra), Paul of Samosata, and especially the confession of Nice-Rimini.[1]

Upon this Pope Liberius received the deputies of the Semi-Arians into communion, and delivered to them in his own name, and in that of the whole Western Church, a letter addressed to those who had accredited them, *i.e.* the fifty-nine Eastern bishops, stating that, "from the declarations of the Easterns and their deputies, he saw that they agreed to his faith, and that of the whole West, which was no other than that of Nicæa, whose bulwark against all Arian heresies was the formula ὁμοούσιος. To this faith nearly all those Westerns had also returned, who at Rimini had been seduced and forced into taking a false step."[2]

It has surprised some that the simple acceptance of the Nicene creed on the part of the Macedonians should have given full satisfaction at Rome, notwithstanding that a new heresy concerning the Holy Ghost had already been promulgated by them, which had not been foreseen in drawing up that creed.[3] Pope Liberius, it was thought, should, under such circumstances, have demanded from the Macedonians a renunciation of this new heresy also; and this would certainly have been necessary if this new doctrine had at that time been as well known at Rome as it was in the East. This, however, was not the case.

Upon the receipt of the Papal letter, the deputies from the East at once repaired to Sicily, where they caused a Synod to be held, and here also made the Homoüsian confession of faith, and thereupon received from the Sicilian bishops a letter similar to that from the Pope, with which they then returned to their country.[4] It is not improbable that, on their journey through the West, they met with Bishop Germinius of Sirmium, one of the heads of the strictest Arians, and brought him also much nearer to the orthodox faith. From

[1] Socrat. iv. 12; Sozom. vi. 11.
[2] Socrat. iv. 12.
[3] Cf. Schrockh, *Kirchengesch.* vol. xii. p. 31.
[4] Socrat. iv. 12.

this time forward he maintained decidedly the true Divinity of the Son, similar to the Father in all things; nor did he allow an Arian Synod, held at Singidunum in 367, to frighten him out of so doing.[1]

After the arrival of the Eastern deputies in their country, a Synod was assembled in 367, at Tyana in Cappadocia, at which they solemnly delivered the letters and documents they had brought with them. These were received with great joy, and it was decided to impart them to the other Eastern bishops, for which purpose it was proposed to hold a great Synod at Tarsus in Cilicia, where the faith of Nicæa should be universally accepted. But Valens forbade the holding of such a Synod.[2]

Moreover, all the old Semi-Arians were by no means inclined to accept the Nicene faith; on the contrary, about thirty-four of their bishops assembled at the same time in Caria, where they indeed highly praised the efforts made for unity, but still expressly rejected the ὁμοούσιος, and declared for the Antiochian formula (*in Encæniis*), the work of the martyr Lucian.[3]

Sec. 89. *Pope Damasus and his Synods. Death of S. Athanasius.*

During these events Pope Liberius died on the 23d or 24th September 366; and as a quarrel had arisen at Rome among the orthodox themselves, Damasus was chosen Pope by one party, and Ursinus or Ursicinus by the other. This occasioned bloody contests between the two parties, which finally ended with the victory of Damasus, while Ursinus with seven of his followers was commanded by the Emperor to leave the city on the 16th November 367. Being thus himself firmly secured in his position, Damasus also thought of the establishment of the Nicene faith;[4] and for this and other

[1] The documents referring to this are found in Hilar. *Fragm.* xiii. xv. p. 1359 sqq. ed. Bened.

[2] Socrat. iv. 12; Sozom. vi. 12.

[3] *Ibid.* vi. 12; cf. above, p. 77.

[4] Because of his exertions in this direction, the sixth general Synod says: Δάμασος ὁ ἀδάμας τῆς πίστεως. Mansi, t. xi. p. 661; Hard. t. iii. p. 1420.

purposes he held various Synods, of which only very imperfect accounts, in some cases mere intimations, have reached us.[1] Of these assemblies, the first of importance was probably held in 369, where the doctrine that the Father and the Son are *unius substantiæ, simul et Spiritus Sanctus*, was proclaimed. At the same time, Bishop Auxentius of Milan, one of the chief supporters of the Arian cause in the West, was anathematized.[2] As, however, the Emperor Valentinian always believed him to be orthodox,[3] he in fact remained in possession of his See until his death in 374. But before him, on the 2d May 373, S. Athanasius died,[4] the greatest champion of the Church in the Arian conflict; and the Arians now not only took possession of the See of Alexandria, but also practised in the church of that place the most frightful crimes and cruelties. Bishop Peter, the rightful successor of Athanasius, was obliged to fly, poor as a beggar; his priests were miserably hunted down, and whoever mourned them, whether man or woman, was scourged; and the Arian Lucius was raised to the See of Alexandria.[5]

Some months later, in 374, Pope Damasus held a second important Roman Synod, on account of the orthodox bishops of the East having sent their ambassador Dorotheus with the earnest request that the Latins would anathematize Eustathius of Sebaste, and Apollinaris of Laodicea, as the former had relapsed into the Macedonian heresy (concerning the Holy Ghost), and the latter had started a new heresy by calling in question the perfect manhood of Christ, in opposition to Arianism. The Roman Synod therefore renewed the con-

[1] The chronological order of the Roman Synods held under Damasus is very uncertain. After the example of Walch (*Hist. der Kirchenvers.* p. 213), we here follow Merenda in his *Gesta S. Damasi*, Romæ 1754.

[2] The original letter of the Synod in Latin is to be found in Hard. t. i. p. 773, and Mansi, t. iii. p. 443; a Greek translation had been already given by Sozom. iv. 23, and Theodoret, ii. 22. This Synod also published a Tome addressed to the Orientals, which, besides the Synodal Letter just mentioned, contained some other explanations concerning the faith, the rest of which are printed in Mansi, t. iii. pp. 459-462.

[3] Hilar. Pict. *Contra Auxent.* p. 1267, n. 7 sqq.

[4] See the preface to the newly-discovered *Festal Letters of S. Athanasius*, Larsow, *l.c.* p. 46.

[5] Cf. Schrockh, *Kirchengesch.* vol. xii. pp. 41 sqq.

fession of the Nicene faith, and fulfilled the wish of the Orientals by rejecting, besides many other heretical views, the false doctrine of the Macedonians and Apollinarians.[1]

Sec. 90. *Synods at Valence in* 374, *in Illyria and at Ancyra in* 375, *at Iconium and in Cappadocia.*

In 374, some French bishops held a Synod at Valence, which, however, took no part in the war of dogma which agitated those times, but only laid down various rules of discipline, which we find collected in Hardouin, and in a still more complete form in Mansi.[2]

On the other hand, a great Illyrian Synod in 375, in its circular to the Easterns, still extant, declared very decidedly against the Pneumatomachian heresy, and commissioned the priest Elpidius, whom they sent to the East with their Synodal Letter, to make investigations concerning the faith of those countries, and there to proclaim the truth. At the same time, it laid down its rules concerning the appointment of bishops, priests, and deacons, that they were to be chosen from the clerical body, or from members of the higher magistracy distinguished for their integrity, but not from the military or lower official class.[3]

The Emperor Valentinian not only confirmed these decrees, but also added a special letter to the bishops of Asia, with the command that the Homoüsian belief in the Trinity should be universally taught. Herein it was also said that no one in the East should make the excuse that he was following the faith of his Emperor (Valens), for that would be an abuse of the Imperial authority, rejection of Him who gave us the teaching of salvation, and disobedience to the Scriptural command, "Render unto Cæsar the things that are Cæsar's, and

[1] The rest of the acts are to be found in Mansi, t. iii. pp. 481 sqq.; also, in Merenda, *l.c.* pp. 44, 202, who, at the same time, opposes the date of this Synod accepted by Mansi.

[2] Hard. t. i. p. 795; Mansi, t. iii. pp. 491 sqq. We possess a special treatise upon the Synod of Valence by Dr. Herbst, Professor at Tübingen, in the *Tübing. Theol. Quartalschr.* 1827, pp. 665 sqq.

[3] Theodoret, *Hist. Eccl.* iv. 9; Mansi, t. iii. p. 386; Hard. t. i. p. 794; cf. Fuchs, *Biblioth. der Kirchenversamml.* vol. ii. pp. 373 sqq.

unto God the things that are God's."[1] Yet this polemical letter, although plainly directed against the Emperor Valens, bears the names of Valens and Gratian after that of Valentinian, as the Roman Emperors always followed the custom of adding the name of the co-Emperor in all their edicts.[2] Remi Ceillier[3] has, as it seems to me rightly, shown that this Illyrian Synod only took place in 375, and not, as Mansi believed, earlier. Not only does Theodoret place it after the elevation of S. Ambrose to the See of Milan, but also the Emperor Valentinian spent the entire summer and autumn of the year 375 in Illyria, and the special interest which he took in this Synod is accounted for by supposing that it was held during his presence there. The early death of Valentinian, however, in the same year 375, deprived his decree, so favourable to the orthodox, of its efficacy; and the Arians, supported by the Emperor Valens, at a Synod at Ancyra, now deposed several orthodox bishops, and amongst them S. Gregory of Nyssa.[4]

S. Basil only hints at other like Synods of the Arians;[5] but he also speaks of Synods of the orthodox, especially at Iconium (about 376), at which Amphilochius, the bishop of that city, presided, and where the orthodox doctrine of the Trinity, as regards the Holy Ghost also, was laid down exactly as Basil the Great had propounded it in his work on the Holy Ghost. Nay, this very work of his was at this time formally sanctioned and confirmed by a Synod in Cappadocia.[6]

Sec. 91. *The Third and Fourth Roman Synods under Damasus. Synods at Antioch, Milan, and Saragossa.*

About the same time, at the third Roman Synod, under Pope Damasus in 376, in which the banished Bishop Peter of Alexandria took part, the Apollinarian heresy was again anathematized, and deposition pronounced upon Apollinaris and his two pupils, Timothy and Vitalis, the bishops of the Apollinarians at Alexandria and Antioch.[7]

[1] Theodoret, lib. iv. c. 3; Mansi, t. iii. p. 90.
[2] Cf. Theodoret, *Hist. Eccl.* iv. 7, *in fine.* [3] Remi Ceillier, t. v. p. 609.
[4] Mansi, t. iii. p. 499; Basil. M. *Ep.* 235 (*alias* 264).
[5] Basil, *Ep.* 237. [6] Mansi, t. iii. pp. 502, 506 sq.
[7] Sozom. vi. 25; Theodoret, v. 16; Merenda, *l.c.* pp. 53 sqq.

Soon after this, in the battle at Adrianople against the Goths in 378, Valens lost his throne and life; and the young Gratian, the eldest son of Valentinian, who had hitherto only reigned in the West, became ruler of the whole Empire. Himself belonging to the orthodox Church, immediately upon his accession, in 378, he gave all his subjects religious liberty, with the exception of the Manichæans, Photinians, and Eunomians, and recalled all banished bishops to their dioceses.[1]

Taking advantage of this tolerant edict of the Emperor, a number of the Macedonians now again separated themselves from the adherents of the Nicene faith, and, at a Synod at Antioch in Caria in 378, declared in favour of the "similarity in substance," expressly rejecting the Nicene ὁμοούσιος. But, on the other hand, many other Macedonians only joined themselves the more closely to the orthodox Church.[2] Also, on the orthodox side, no less than one hundred and forty-six Oriental bishops assembled at Antioch on the Orontes, as Gregory of Nyssa says,[3] in the ninth month after the death of S. Basil the Great (in September 378), in order, on the one hand, to put an end to the Antiochian schism among the orthodox themselves (which attempt, however, was not then successful), and, on the other, to take steps to assist the Church in gaining the victory over Arianism. To this end, the bishops at Antioch signed the Tome, published by the Roman Synod in 369,[4] under Damasus, thus making those dogmatic declarations their own; and also published a Synodal Letter on their own account to the bishops of Italy and Gaul, which was first printed among the letters of S. Basil, and afterwards also in the collections of the Councils.[5]

Some time later, in 380, Pope Damasus held his fourth Roman Synod, which has been often (for instance, by Remi Ceillier[6]) wrongly divided into two Councils, because this

[1] Socrat. v. 2; Sozom. vii. 1; Theodoret, v. 2.

[2] Socrat. v. 4; Sozom. vi. 2.

[3] *Ep. ad Olymp. de Vita et Obitu S. Macrinæ.*

[4] See above, pp. 287 sq.; cf. Hard. t. i. p. 776; and Mansi, t. iii. pp. 461 sq., where the signatures of the Antiochians are given.

[5] Mansi, t. iii. p. 511; cf. the *Notes* of Valesius on Theodoret, v. 3.

[6] Remi Ceillier, *l.c.* pp. 621, 627.

assembly discharged two different functions, as on the one hand it confirmed the elevation of Pope Damasus in opposition to the pretender Ursicinus,[1] and on the other it dealt with the great dogmatic question, and published a number of anathemas against the Sabellians, Arians, Macedonians, Photinians, Marcellians, and Apollinarians, etc.[2]

Lastly, in the same year we have to record two more Synods; one at Milan under S. Ambrose, which, however, did not treat of any general affairs, but was only for the vindication of a young Christian girl at Verona;[3] and the somewhat more important Synod at Saragossa in Spain.[4] Sulpicius Severus relates "that, on account of the Priscillianists at Cæsar Augusta (Saragossa), a Synod was held, consisting of bishops of Spain and Aquitania. The heretics, although invited, did not appear: the Synod nevertheless condemned them, namely, the Bishops Instantius and Salvianus, and the two laymen Helpidius and Priscillianus, and threatened with the like punishment all who should hold communion with them. Finally, they commissioned Bishop Ithacius of Ossonuba to make this decision generally known, and to excommunicate Bishop Hyginus of Corduba, who had first discovered the existence of this new heresy, and had then embraced it."[5] Sulpicius Severus does not give the exact chronological date; but from his whole historical account this Synod must be placed somewhere about the year 380. Now, as there are to be found in the old collections of the canons eight canons of a Synod at Saragossa of October 4th, 418, of the Spanish era (380 according to our reckoning),[6] and as these eight canons

[1] The letter of the Synod to the Emperors Gratian and Valentinian II. is to be found in Hard. t. i. p. 839; and Mansi, t. iii. p. 624; cf. Fuchs, *l.c.* p. 363.

[2] The document in question has been preserved by Theodoret, v. 11, but no doubt with an incorrect heading, according to which the letter of Damasus and his Synod was addressed to Bishop Paul of Thessalonica; but, at that time, S. Acholius was bishop of that town, therefore the correct reading would be Paulinus of Antioch (the bishop of the Eustathians). The document is also printed in Mansi, t. iii. pp. 486 sqq.; Harduin, t. i. p. 517.

[3] Mansi, t. iii. p. 517.

[4] Concerning which, cf. *Tübing. Theol. Quartalschrift*, 1826, pp. 404 sqq.; and *Coleccion de Canones de la Iglesia Espanola*, Madrid 1849, t. ii. pp. 123 sqq.

[5] Sulpic. Sev. *Hist. Sacra*, lib. ii.

[6] Mansi, t. iii. pp. 633 sqq.; Hard. t. i. pp. 805 sq.

are plainly directed against the Priscillianists, it may well be supposed that they belong to the same Synod of which Sulpicius speaks. Mansi[1] tries to show that it took place as early as 379. Its canons are as follows: (1) All Christian women shall avoid conventicles. (2) No one shall fast on Sunday, nor may any one absent himself from church during Lent and hold a conventicle of his own. (3) Whoever does not consume the Holy Eucharist given him in church, let him be anathema. (4) From the 17th December to the Feast of the Epiphany every one must attend the church daily, and may not go with bare feet. (5) He who is excommunicated by one bishop may not be received by another. (6) A cleric who out of pride becomes a monk, as being a better observance of the law, shall be shut out from the Church. (7) No one shall on his own authority declare himself a teacher. (8) No virgin under forty years of age shall take the veil.[2]

Sec. 92. *The Emperor Theodosius the Great.*

Meanwhile the orthodox Church had made wonderful progress. Ever since Gratian issued the edict of toleration, fortune took a decided turn in favour of the Nicenes, and Arianism only remained dominant still in a few towns such as Constantinople. But this also was changed when in 379 Gratian made Theodosius his co-Emperor, and gave over to him the government of the East. The latter in 380 immediately issued the celebrated edict in which he threatened the heretics, and demanded of all his subjects the acknowledgment of the orthodox faith.[3] Also, upon his arrival in Constantinople, he deprived the Arians of their churches, in order to give them back to the orthodox;[4] and in 381 again issued an edict of faith, forbidding all heretics to hold divine service in towns, and allowing the Catholics only the possession of churches.[5] It was of especial importance that in the same year, 381, he also arranged for the meeting of the second

[1] Mansi, *l.c.* pp. 635 sqq.
[2] Cf. Mandernach, *Geschichte der Priscill.* 1851, pp. 20 sqq.
[3] *Cod. Theod.* lib. xvi. tit. i.; *De Fide Cathol.* i. 2.
[4] Socrat. v. 7; Sozom. vii. 5. [5] *Cod. Theod.* i. 6, *de Hæret.*

Œcumenical Council, which was to bring the contest begun at Nicæa to a triumphant issue. Before, however, we go on to the discussion of this second General Council, we must consider two important Synods which took place in the interval between the first and second General Councils, the exact date of which cannot, however, be given with complete certainty, *i.e.* the Synods of Laodicea and Gangra.

BOOK VI.

THE SYNODS OF LAODICEA AND GANGRA.

SEC. 93. *Synod of Laodicea.*

IN very many old collections of the Councils which have had their origin since the sixth, or even in the fifth, century, we find the acts of the Synod of Laodicea in Phrygia (Phrygia Pacatiana[1]) placed after those of Antioch of 341, but before those of the second General Council of 381. Some, for instance Matthew Blastares, with somewhat more precision, place this Synod after that of Sardica:[2] the Trullan Synod,[3] however, and Pope Leo IV. place it immediately before the second General Council.[4] Notwithstanding which, Baronius thought that this Synod should be placed much earlier, even before that of Nicæa;[5] and for the following reasons: *first*, that in the last canon of Laodicea the Book of Judith is not mentioned among the books of the Bible, while, according to S. Jerome, the Synod of Nicæa had already declared it to be canonical;[6] *secondly*, that several canons of Laodicea are identical with the Nicene, though with no mention of Nicæa, which would certainly have been made had this Synod borrowed from that of Nicæa, while, on the other hand, if the Synod of Laodicea was earlier than that of Nicæa, and if the latter received some

[1] Also named Laodicea ad Lycum, and not to be confounded with Laodicea in Syria.

[2] Cf. Hardouin's note in his *Collect. Concil.* t. i. p. 779; also in Mansi, t. ii. p. 563.

[3] *Concil. Trull.* can. ii. in Hard. *Coll. Concil.* t. iii. p. 1659.

[4] In *Corpus Jur. Can.* c. 1. Dist. xx.

[5] Baron. *Annal.* t. iv. Appendix, pp. 916 sq. ed. Mog. 1601.

[6] Jerome, *Præf. ad Librum Judith.*

canons from that comparatively unimportant Synod, the fact that Nicæa is not mentioned is easily explained.

The weakness of this latter argument is self-evident, and neither will the first hold good; for we have already shown in the history of the Nicene Council that the words of Jerome are not to be taken to mean that the Synod drew up a decree or canon concerning the Book of Judith, but rather that it is highly probably that it was merely quoted in passing in some discussion or other, and so to a certain extent tacitly approved.[1] Nay, if the Council had pronounced a formal decision concerning the Book of Judith, Jerome himself would certainly not in another place have expressed himself so uncertainly as to its authority.[2] But if it did not pronounce any express decision about the Book, the whole argument of Baronius falls through. Besides this, the Laodicean canons, which contain so many detailed rules and orders as to the manner of living and conducting divine service, belong more to a time further removed from the persecutions, and when the Church had for some time been advancing peacefully. Thus we find among the Laodicean canons rules concerning the Church vestments, but no longer rules concerning the *lapsi*. This plainly points more to the last half than the beginning of the fourth century.

The seventh canon of Laodicea, in which the baptism of the Photinians is declared invalid, seems to offer a sure chronological land-mark. Now we know that Bishop Photinus began to attract notice about the middle of the fourth century, and was first anathematized by the Eusebians at the Synod of Antioch in 344 (in the μακρόστιχος formula); by the orthodox at Milan in 345;[3] then again by the Eusebians in 351 and 355, at the Synods of Sirmium and Milan;[4] besides which, he was repeatedly banished, and in 366 he died in exile.[5] As it is, however, as we shall presently see, doubtful whether the word Φωτεινιανῶν in the seventh canon is genuine, unfortunately no certain conclusion can be drawn from this. Somewhat more

[1] Cf. vol. i. pp. 370 sq.

[2] For instance, *Epist.* 47, *ad Furiam:* "Si cui tamen placet volumen recipere;" cf. vol. i. p. 371, note 1.

[3] See p. 189. [4] See pp. 193, 198. [5] See p. 199.

light is thrown on the subject by the fact that, in the introduction to the Laodicean canons, the Greek text after the word Phrygia adds *Πακατιανῆς*; and this points to a geographical division which appears not to have existed at the time of the Synod of Sardica in 343.[1]

Peter de Marca tried to prove that the Synod of Laodicea took place in 365; but he was refuted by Pagi,[2] who agreed with Gothofred's hypothesis (in his notes on Philostorgius) that it had been occasioned by Theodosius, an Arian bishop of Lydia about the year 363.[3] Philostorgius relates that, after the death of the Apostate Julian (in 363), Theodosius, a bishop of Lydia, summoned a small Synod, at which the consecration of Aetius and the ordinations performed by him were declared invalid.[4] The Epitomist of Philostorgius (Photius) designates this Theodosius a vehement Eunomian, and it is therefore doubtful whether he is the same Theodosius, bishop of Philadelphia in Lydia, whom Epiphanius places among the Semi-Arians.[5] Moreover, a passage in the *Corpus Juris Canonici*,[6] the author of which is unknown, states that Bishop Theodosius, who, however, is not more precisely described, was the chief originator of the Laodicean decrees. Gothofred and Pagi identify him with the Theodosius mentioned by Philostorgius, and seek to confirm their supposition by maintaining that the Synod of Laodicea took a rigidly ascetic line, especially on sexual questions, and that Philostorgius, in strict agreement with this, speaks of the great abhorrence Bishop Theodosius had of all sexual intercourse.

But, in the first place, the Synod of Laodicea showed no sort of abhorrence of marriage or any such like hyper-ascetic tendency; and, secondly, the statement that this Theodosius

[1] In the letter of the Arian party at Sardica only one Phrygia is named. Hardouin, t. i. p. 671; Mansi, t. iii. p. 126. The Ballerini, in their edition of the works of Leo, t. iii. p. xxi. n. xii., laid special weight upon this, in order to show that the Synod of Laodicea took place later than that of Sardica. Cf. above, p. 95.

[2] Pagi, *Critica in Annal. Baron.* ad. ann. 314, n. 25.

[3] Marca's opinion was repeated by Van Espen, *Commentar. in Canones et Decreta Juris*, etc., Colon. 1754, pp. 156 sq.

[4] Philostorgius, viii. 3, 4.

[5] Epiphan. *Hær.* 73, c. 26.

[6] C. ii. Dist. xvi.

was an ascetic is wholly incorrect, for the words of Philostorgius, as rightly interpreted by Valesius, prove quite the contrary, namely, that Theodosius had been himself implicated in unlawful relations, and had "led an irregular life" (ἐκθεσμοῦ πολιτείας). A man, however, of this kind, who, as Philostorgius also says, in order to escape answering for his bad manner of life, could betake himself with a few friends and companions to a *conciliabulum*, with the view of overthrowing those whom he feared, is certainly not the author of decisions so earnest, strict, and dignified as are those of Laodicea; apart from the fact that this Synod was never accounted Arian, which, according to Gothofred's conjecture, it would have been.[1] To this must be added, first, that Philostorgius says not a word of the cabal got up by Theodosius having issued rules of discipline also; and, secondly, that not one of the Laodicean canons contains a distinct reference to Aetius. Even if, therefore, the above statement of the *Corpus Juris* is to hold good, the Theodosius who occasioned the Synod of Laodicea must certainly not be confounded with the other of the same name mentioned by Philostorgius, and we have still gained nothing as to the date of this Synod.

Under such circumstances, it is best, with Remi Ceillier, Tillemont, and others, to place the meeting of the Synod of Laodicea generally somewhere between the years 343 and 381,—*i.e.* between the Sardican and the second General Council,—and to give up the attempt to discover a more exact date. The entirely disciplinary contents of the canons seems to show that, at the time the Synod was held, there must have been a sort of truce in the dogmatic (Arian) conflict of that period.

The sixty canons of the Synod of Laodicea were composed in Greek, and have come down to us in the original language.[2] There were also early Latin translations, for instance one by

[1] In order to dispose of this difficulty, Pagi raises the further hypothesis that the Synod of Laodicea was indeed Arian, but that its canons were subsequently received by the orthodox Church.

[2] Printed in Mansi, t. ii. pp. 563 sqq.; Hard. t. i. pp. 781 sqq.; Bevereg. *Pandectæ Canonum*, t. i. pp. 453 sqq.

Dionysius Exiguus, which we likewise still possess, and commentaries on them were published in the Middle Ages, chiefly by Balsamon, Zonaras, Aristenus,[1] and more recently by Van Espen,[2] and Professor Herbst in the *Tübingen Review*.[3]

A short preface by one of the old collectors precedes the Laodicean canons, and runs thus:

"The Holy Synod, which was assembled at Phrygia Pacatiana from different provinces of Asia, has drawn up the following ecclesiastical regulations:—

"CAN. 1. We have decreed, in accordance with the rules of the Church, that those who have lawfully and regularly entered upon a second marriage, and not formed a secret union, shall, after a short period of prayer and fasting, be pardoned and again received into communion."

We see that the Synod of Laodicea here defends Christian freedom with regard to second marriage, as the Council of Nicæa (Can. 8), and to a certain extent also the Synods of Neocæsarea (Can. 3 and 7) and Ancyra (Can. 19), had already done. By this, however, a second marriage is not exempted from all stain; on the contrary, an expiation of this weakness by prayer and fasting is declared necessary. Nay, the words "after a short period" (*ὀλίγου χρόνου παρελθόντος*) plainly indicate that a digamist shall not be received into communion, and especially not admitted to the Holy Eucharist, immediately after contracting a second marriage, but shall be excluded for a short time, or placed in the *aphorismus minor*.

Further, as we have already shown in the translation, the words *κατὰ τὸν ἐκκλησιαστικὸν κάνονα* must be connected with *ἀποδίδοσθαι αὐτοῖς τὴν κοινωνίαν*, so that the meaning stands: "in accordance with the rule of the Church they must be received;" but if, as Dionysius Exiguus has done, we connect the words in question with *συναφθέντας δευτέροις γάμοις*, it would be a mere tautology, as the word *νομίμως* itself implies that the second marriage must be a lawful one.

[1] Their commentaries are printed in Bevereg. *l.c.*

[2] Van Espen, *Commentar. in Canones et Decreta Juris Veteris ac Novi*, Colon. 1754, pp. 157 sqq.

[3] *Tübing. Theol. Quartalschrift*, 1823, pp. 3 sqq.

What, however, is the meaning of the words, "and have not formed a secret union"? The three above-mentioned commentators of the Middle Ages rightly interpret this to mean that the digamist must not have already had intercourse (before marriage) with the person with whom he contracts a second marriage; for if so, he would come under the punishment of fornication, and in that case he could not be again so soon received into communion.

Lastly, it is hardly necessary to observe that this canon only speaks of a digamist who marries again after the death of his first wife. This is plainly indicated in the words, "the second marriage must be lawfully (*νομίμως*) entered upon," and second marriage during the lifetime of the first wife would not have been considered by the ancient Church a lawful marriage, but abominable adultery. The ancient Church had great difficulty in maintaining as permissible second marriage, even after the death of one party; so strict was the custom in this particular. On this compare what Van Espen remarks in opposition to Justellus.[1]

CAN. 2. "That sinners of various kinds, if they have persevered in the public confession and penance, and have entirely turned from evil, after a time of penance fixed in proportion to their fall, shall, in consideration of the pity and goodness of God, be again received into communion."

Van Espen[2] and others were of opinion that this canon treated only of those who had themselves been guilty of various criminal acts, and it has been asked whether any one guilty not only of one gross sin, but of several of various kinds, might also be again received into communion. It seems to me, however, that this canon with the words, *τοὺς ἁμαρτάνοντας ἐν διαφόροις πταίσμασι*, simply means that "sinners of various kinds shall be treated exactly in proportion to the extent of their fall." That the question is not necessarily of different sins committed by the same person appears from the words, *κατὰ τὴν ἀναλογίαν τοῦ πταίσματος*, as the singular, not the plural, is here used.

But Van Espen, with Aubespine, is clearly right in not referring the words, "if they persevere in confession (*ἐξομολο-*

[1] Van Espen, *l.c.* p. 151. [2] *Ibid*, *l.c.* p. 158.

γήσεως) and repentance," to sacramental confession, to which the expression "persevere" would not be well suited. Here is evidently meant the oft-repeated contrite confession before God and the congregation in prayer of sins committed, which preceded sacramental confession and absolution.

In the Isidorian translation, this canon was inserted in the *Corpus Juris Canonici*.[1]

Can. 3. "That those only lately baptized shall not be promoted to the clerical office."

The same rule had been laid down by the Council of Nicæa.[2]

Can. 4. "That clerics may not practise usury or take interest."

This prohibition also was enacted at Nicæa (Can. 17), and all that is necessary on this subject has therefore been already said.[2] Dionysius Exiguus and Isidore designated this canon as the fifth of Laodicea, and the fifth of the Greek text, the following one, as the fourth. This canon is also found in the *Corpus Jur. Can.* in the *Decretum* of Gratian.[3]

Can. 5. "That ordinations may not take place in the presence of the *audientes*."

As the penitents (*audientes*) might not be present at the whole of divine service, so especially not at ordinations. Balsamon and Zonaras, however, refer this canon to the election and not to the ordination of new clerics, and were of opinion that the *audientes*[4] were not allowed to be present at such an election, because on such occasions the faults of the candidates of the clerical order came under discussion, and naturally it was desired that these should be made as little public as possible, and especially not discussed before those who for their own sins were placed among the penitents.

Can. 6. "That it is not permitted to heretics, so long as they continue in heresy, to set foot in the house of God."

The Council of Laodicea is here more strict in its decisions than are other Synods which gladly suffer the presence of heathens, Jews, and heretics at the *Missa Catechumenorum*, *i.e.* the church lessons and sermons, in the hope of possibly

[1] *Corpus Jur. Canonici*, can. 4, causa xxvi. quæst. 7.
[2] Vol. i. pp. 424 sq.
[3] Gratian, *Decret.* c. 9, Dist. xlvi.
[4] See vol. i. pp. 420, 421.

winning them. This, for instance, is the rule of the so-called fourth Council of Carthage in 398.[1]

Can. 7. "That heretics returning from the Novatian, Photinian, or Quartodeciman heresies, whether they have been reckoned among the [catechumens] or the faithful, shall not be received until they have anathematized all heresies, and more especially those in which they were themselves implicated. These, as soon as they have learnt the creed, and received the anointing of the holy chrism, shall share in the holy mysteries."

It is undeniable that the Synod held the baptism of the sects here enumerated to be valid, and therefore, upon the return of a former member of any of these sects, did not require re-baptism. In the case of the Novatians and Quartodecimans, this would be the more obvious, as it is well known that their difference from the Church had no reference to the doctrine of the Trinity: they were not, indeed, strictly heretics but schismatics, and could only have been numbered *sensu latiori* among the heretics by the Synod of Laodicea, as αἵρεσις is here used in a general sense as identical with party or sect.

The mention of the Photinians was more suspicious. Their specific heresy concerned the Trinity, and therefore the validity of their baptisms could by no means be unhesitatingly recognised. Moreover, a Synod at Arles in 452 ordered *Photiniacos, sive Paulianistas, secundum patrum statuta baptizari oportere.*[2] And if we add that the word *Photiniani* is not to be found in the *Breviatio Canonum* of Ferrandus, n. 177 (548) in the old translation of Isidore,[3] in a Lucca or in a Paris codex of Latin canons,[4] its genuineness is at least rendered extremely doubtful. It was vigorously contested by Baronius, Binius, Remi Ceillier, and others.[5]

[1] Can. lxxxiv.; Hard. t. i. p. 984; Mansi, t. iii. p. 958.

[2] Hard. t. iii. p. 774. The Photinians have often been identified with the followers of Paul of Samosata, for instance by Rufinus, in his translation of the nineteenth (twenty-first) Nicene canon, in his *Hist. Eccl.* i. (x.) c. 6.

[3] Mansi, t. v. p. 585.

[4] Mansi, t. ii. p. 591; Fuchs, *Bibl. de Kirchenvers.* vol. ii. p. 322; Remi Ceillier, t. iv. p. 727.

[5] Baron. *Annal.* t. iv. Append. n. vi. p. 916; Binius in his notes on this Synod in Mansi, t. ii. p. 595; Remi Ceillier, *l.c.* p. 727.

Lastly, it must also be observed that there is an omission in the Greek text of this canon, as the word "catechumens," which we have inserted between brackets in our translation, is wanting, plainly only through the fault of a copyist. It stood in the copies of Dionysius, Exiguus, Isidore, and other ancients, as well as in Balsamon.

CAN. 8. "Those who return from the heresy of the so-called Phrygians (Montanists), even though of the number of the pretended clergy, and held in the greatest esteem, must be catechized with all care and baptized by the bishops and priests of the Church."

This Synod here declares the baptism of the Montanists invalid, while in the preceding canon it recognised as valid the baptism of the Novatians and Quartodecimans. From this, it would appear that the Montanists were suspected of heresy with regard to the doctrine of the Trinity. Some other authorities of the ancient Church, however, judged differently, and for a long time it was a question in the Church whether to consider the baptism of the Montanists valid or not. Dionysius the Great of Alexandria was in favour of its validity;[1] but this Synod and the second General Council rejected it as invalid, not to mention the Synod of Iconium (235), which declared all heretical baptism invalid. This uncertainty of the ancient Church is accounted for thus: (*a*) On one side the Montanists, and especially Tertullian, asserted that they held the same faith and sacraments, especially the same baptism (*eadem lavacri sacramenta*), as the Catholics.[2] S. Epiphanius[3] concurred in this, and testified that the Montanists taught the same regarding the Father, the Son, and the Holy Ghost, as did the Catholic Church. (*b*) Other Fathers, however, thought less favourably of them, and for this reason, that the Montanists often expressed themselves so ambiguously, that they might, nay, must be said completely to identify the Holy Ghost with Montanus. Thus Tertullian, in quoting expressions of Montanus, actually says "the Paraclete speaks;" and therefore Firmilian,[4] Cyril

[1] Tillemont, *Mémoires*, etc. t. ii. p. 200; Baron. *Annal.* ad ann. 260, n. 16.
[2] Tertull. *De Veland. Virg.* c. 1.
[3] Epiph. *Hær.* 48, 1.
[4] *Ep.* 75 of those of Cyprian.

of Jerusalem, Basil the Great, and other Fathers, did in fact reproach the Montanists with this identification, and consequently held their baptism to be invalid. (*c*) Basil the Great goes to the greatest length in this direction in maintaining that the Montanists had baptized in the name of the Father, of the Son, and of Montanus and Priscilla.[1] But it is very probable, as Tillemont[2] conjectured, that Basil only founded these strange stories of their manner of baptizing upon his assumption that they identified Montanus with the Holy Ghost; and, as Baronius maintains, it is equally probable that the Montanists did not alter the form of baptism. But, even admitting all this, their ambiguous expressions concerning Montanus and the Holy Ghost would alone have rendered it advisable to declare their baptism invalid. (*d*) Besides this, a considerable number of Montanists, namely, the school of Æschines, fell into Sabellianism, and thus their baptism was decidedly invalid.[3]

In conclusion, it must be observed that Balsamon and Zonaras rightly understood the words in our text, *εἰ καὶ μέγιστοι λέγοιντο*, "though they be held in the highest esteem," to refer to the most distinguished clergy and teachers of the Montanists.[4]

Can. 9. "Members of the Church shall not be allowed to frequent cemeteries or chapels dedicated to so-called martyrs belonging to any heretics for prayer or divine service. Those who do this, if of the number of the faithful (not merely catechumens), shall be excommunicated for a time; but if they do penance and acknowledge their fault, they shall be again received."

The Synod here, in condemning one kind of *communio in sacris*, speaks of chapels dedicated to "so-called martyrs," because the heretics honoured as such those of their number who died in any persecution; but the Church could not, of course, concede this honour to them, as Eusebius shows in his Church History.[5]

[1] *Ep. ad. Amphiloch. Opp.* t. iii. p. 20, ed. Ben.

[2] Tillemont, *l.c.* p. 200 a.

[3] On this, cf. my treatise on Montanus, in the *Kirchenlexicon* of Wetzer and Welte, vol. vii. pp. 204 sq.

[4] Cf. the treatise above quoted, p. 261, and Bevereg. *Synodicon S. Pandectæ Canonum*, t. i. p. 456.

[5] Eusebius, *Hist. Eccl.* lib. v. c. 16.

CAN. 10. "Members of the Church shall not indiscriminately give their children in marriage to heretics."

With reference to the expression *ἀδιαφόρως*, "indiscriminately," Fuchs quite correctly observes: "Not as if they might be given in marriage to some heretics, and not to others; but that it should not be considered a matter of indifference whether they were married to heretics or orthodox."[1] The Synod of Elvira had already given the same rule in can. 16: *Hæretici si se transferre noluerint ad Ecclesiam Catholicam, nec ipsis Catholicas dandas esse puellas;* and the fourth General Council of Chalcedon, in its fourteenth canon, especially enjoined this rule on the lower ministers of the Church, which gave rise to the opinion held by the Greek commentators, Zonaras and Balsamon, that this canon also only forbade the ministers of the Church to give their children in marriage to heretics. Van Espen has, however, shown that the rule was to be generally applied.[2]

CAN. 11. "The appointment of the so-called female elders or presidents shall not take place in the church."

It is doubtful what was here intended, and this canon has received very different interpretations. In the first place, what is the meaning of the words *πρεσβύτιδες* and *προκαθήμεναι* ("presbytides" and female presidents)? I think the first light is thrown on the subject by Epiphanius,[3] who, in his treatise against the Collyridians, says that "women had never been allowed to offer sacrifice, as the Collyridians presumed to do, but were only allowed to minister. Therefore there were only deaconesses in the Church, and even if the oldest among them were called 'presbytides,' this term must be clearly distinguished from presbyteress. The latter would mean priestesses (*ἱερίσσας*), but *πρεσβύτιδες* only designated their age, as seniors." According to this, the canon appears to treat of the superior deaconesses who were the overseers (*προκαθήμεναι*) of the other deaconesses; and the further words of the text may then probably mean that in future no more such superior deaconesses or eldresses were to be appointed, probably because they had often outstepped their authority.

[1] Fuchs, *Biblioth. der Kirchenvers.* part ii. p. 324.
[2] Van Espen, *l.c.* p. 160. [3] Epiph. *Hær.* 79, 4.

Neander,[1] Fuchs,[2] and others, however, think it more probable that the terms in question are in this canon to be taken as simply meaning deaconesses, for even in the church they had been wont to preside over the female portion of the congregation (whence their name of "presidents"); and, according to S. Paul's rule, only widows over sixty years of age were to be chosen for this office (hence called "presbytides"). We may add, that this direction of the apostle was not very strictly adhered to subsequently, but still it was repeatedly enjoined that only elder persons should be chosen as deaconesses. Thus, for instance, the Council of Chalcedon, in its fifteenth canon, required that deaconesses should be at least forty years of age,[3] while the Emperor Theodosius even prescribed the age of sixty.[4]

Supposing now that this canon simply treats of deaconesses, a fresh doubt arises as to how the last words—"they are not ἐν ἐκκλησίᾳ καθίστασθαι"—are to be understood. For it may mean that "from henceforth no more deaconesses shall be appointed;" or, that "in future they shall no more be solemnly ordained in the church." The first interpretation would, however, contradict the fact that the Greek Church had deaconesses long after the Synod of Laodicea.[5] For instance, in 692 the Synod *in Trullo* (Can. 14) ordered that "no one under forty years of age should be ordained deaconess." Consequently the second interpretation, "they shall not be solemnly ordained in the church," seems a better one, and Neander decidedly prefers it. It is certainly true that several later synods distinctly forbade the old practice of conferring a sort of ordination upon deaconesses,[6] as, for instance, the first Synod of Orange (*Arausicanum* I. of 441, Can. 26), in the words: *diaconæ omnimodis non ordinandæ;* also the Synod at Epaon in 517 (Can. 21), and the second Synod at Orleans in 533 (Can. 18); but in the Greek Church at least, an ordination, a χειροτονεῖσθαι, took place as late as the Council *in*

[1] Neander, *Kirchengesch.* second edition, vol. iii. (ii. i.) pp. 322 sq., note 2.
[2] Fuchs, *Bibl. der Kirchenvers.* vol. ii. p. 324.
[3] Cf. Binterim, *Denkwürdigkeiten*, vol. i. part i. p. 438.
[4] *Cod. Theodos.* l. xvi. tit. 2, i. 27.
[5] Cf. Neander, *l.c.*
[6] On this, cf. the *Const. Apost.* lib. viii. c. 19.

Trullo (Can. 14). But this canon of Laodicea does not speak of solemn dedication, and certainly not of ordination, but only of *καθίστασθαι*. These reasons induce us to return to the first interpretation of this canon, and to understand it as forbidding from that time forward the appointment of any more chief deaconesses or "presbytides."

Zonaras and Balsamon give yet another explanation.[1] In their opinion, these "presbytides" were not chief deaconesses, but aged women in general (*ex populo*), to whom was given the supervision of the females in church. The Synod of Laodicea, however, did away with this arrangement, probably because they had misused their office for purposes of pride, or money-making, bribery, etc.

The Roman revisers of the *Corpus Juris*, in their note on canon 19 [2] (where the Isidorian translation of the canon is adopted), agree with this interpretation of the canon, and so also does Van Espen afterwards.[3] But the Isidorian translation, as it was inserted in the *Corpus Juris*, is quite peculiar in giving to the expression "presbytides" the same meaning as we have done under the guidance of Epiphanius, while yet, like Neander, it attributes to *καθίστασθαι* the pregnant sense of ordination. It runs thus:—*Mulieres quæ apud Græcos presbyteræ appellantur, apud nos autem viduæ seniores* (the oldest among the deaconesses, equivalent to *viduæ*) *univiræ et matriculariæ nominantur, in ecclesia tanquam ordinatas constitui non debere.* Finally, Dionysius Exiguus translates more briefly: *quod non oportet eas, quæ dicuntur presbyteræ vel præsidentes, in ecclesiis ordinari;* thus leaving it doubtful to which interpretation he gives the preference.

Can. 12. "The bishops must be appointed for the government of the Church by the decision of the metropolitans and the surrounding bishops (comprovincials), after they have given sufficient proof of their orthodoxy, as well as of their orderly behaviour." [4]

[1] See Beveregius, *Synodicon*, t. i. p. 458.

[2] Dist. xxxii.

[3] Van Espen, *l.c.* p. 161.

[4] Cf. canon 4 of Nicæa, vol. i. p. 381. In *Corpus Jur. Can.* this canon is given according to the translation of Dionysius Exiguus, in Gratian, c. 4, Dist. xxiv.

CAN. 13. "The choice of those to be appointed to the priesthood shall not rest with the multitude."

It may be asked, whether by this rule it was intended that the people should be deprived of all share in the appointment of the clergy? Van Espen positively denies this, and shows that even after the Synod of Laodicea the people still took part in their election.[1] This may be true, but still, on the other hand, it cannot be denied that in the Greek Church the people were early deprived of this right, namely, by the eighth General Council. This change in the canon law and in the manner of election did not take place in the West till the eleventh century.[2] Moreover, by the term ἱερατεῖον in this canon must be understood not only the order of presbyters, but also the episcopate, as the Greek commentators Balsamon, etc., and at a later date Van Espen, rightly observed.[3]

CAN. 14. "At Easter the Host shall no more be sent into foreign dioceses as *eulogia*."

It was a custom in the ancient Church, not indeed to consecrate, but to bless those of the several breads of the same form laid on the altar which were not needed for the communion, and to employ them, partly for the maintenance of the clergy, and partly for distributing to those of the faithful who did not communicate at the Mass.[4] The breads thus blessed were called *eulogiæ*. Another very ancient custom was, that bishops, as a sign of Church fellowship, should send the *consecrated* bread to one another. That the Roman Popes of the first and second centuries did so, Irenæus testifies in his letter to Pope Victor in Eusebius.[5] In course of time, however, instead of the consecrated bread, only bread which had been blessed, or *eulogiæ*, were sent abroad. For instance, Paulinus and Augustine sent one another these *eulogiæ*.[6] But at Easter the older custom still prevailed; and to invest the matter with more solemnity, instead of the *eulogiæ*, consecrated

[1] *Commentarius in Canones*, etc., pp. 161 sq.
[2] Cf. our remarks on canon 4 of Nicæa, vol. i. pp. 385 sq.
[3] *Commentar. in Canones*, etc., p. 161.
[4] [The latter custom still prevails in France.]
[5] *Hist. Eccl.* v. 24. [6] Augustine, *Ep.* xxviii. and xxxi.

bread, namely the Eucharist, was sent out. The Synod of Laodicea forbids this, probably out of reverence to the holy Sacrament.

Binterim gives another explanation.[1] He starts from the fact that, with the Greeks as well as the Latins, the wafer intended for communion is generally called *sancta* or *ἅγια* even before the consecration. This is not only perfectly true, but a well-known fact; only it must not be forgotten that these wafers or oblations were only called *sancta* by anticipation, and because of the *sanctificatio* to which they were destined. Binterim then states that by *ἅγια* in the canon is to be understood not the breads already consecrated, but those still unconsecrated. He further conjectures that these unconsecrated breads were often sent about instead of the *eulogiæ*, and that the Synod of Laodicea had forbidden this, not during the whole year, but only at Easter. He cannot, however, give any reason, and his statement is the more doubtful, as he cannot prove that these unconsecrated communion breads really used before to be sent about as *eulogiæ*.

In connection with this, however, he adds another hypothesis. It is known that the Greeks only consecrate a square piece of the little loaf intended for communion, which is first cut out with the so-called holy spear. The remainder of the small loaf is divided into little pieces, which remain on or near the altar during Mass, after which they are distributed to the non-communicants. These remains of the small loaf intended for consecration are called *ἀντίδωρα*; and Binterim's second conjecture is, that these *ἀντίδωρα* might perhaps have been sent as *eulogiæ*, and may be the *ἅγια* of this canon. But he is unable to prove that these *ἀντίδωρα* were sent about, and is, moreover, obliged to confess that they are nowhere called *eulogiæ*, while this canon certainly speaks of *eulogiæ*. To this must be added that, as with regard to the unconsecrated wafer, so we see no sufficient cause why the Synod should have forbidden these *ἀντίδωρα* being sent.

Can. 15. "Besides the appointed singers, who mount the ambo and sing from the book, others shall not sing in the church."

[1] *Denkwürdigkeiten*, vol. iv. part iii. p. 535 sqq.

That by the κανονικοῖς ψάλταις are meant the singers appointed by the Church, and belonging in a wider sense to the clergy, appears from what has already been said of the words ἐν κανόνι ἐξεταζόμενοι in the sixteenth canon of Nicæa. The only question is whether this Synod forbade the laity to take any part in the Church music, as Binius and others have understood the words of the text,[1] or whether it only intended to forbid those who were not cantors taking the lead. Van Espen and Neander in particular were in favour of the latter meaning, pointing to the fact that certainly in the Greek Church after the Synod of Laodicea the people were accustomed to join in the singing, as Chrysostom and Basil the Great sufficiently testify.[2] Bingham propounded a peculiar opinion, namely, that this Synod did indeed forbid the laity to sing in the church, or even to join in the singing, but this only temporarily,[3] for certain reasons. I have no doubt, however, that Van Espen and Neander take the truer view.

Can. 16. "On Saturday, the Gospels and other portions of the Scripture shall be read aloud."

Neander remarks that this canon is open to two interpretations.[4] It may mean that on Saturday, as on Sunday, the Holy Scriptures shall be read aloud in the church, and therefore solemn public service shall be held; and canon 49 is in favour of this interpretation. It was also the custom in many provinces of the ancient Church to observe Saturday as the Feast of the Creation.[5]

But, as Neander further supposes, it might be possible that some few Judaizing congregations had retained the practice of only reading portions of the Old Testament on Saturday, and not chapters from the Gospels, and that this is here forbidden. He, however, himself remarks, that in that case the

[1] Cf. Binius' notes in Mansi, t. ii. p. 596, n.; and Herbst, in the *Tübing. Theol. Quartalschrift*, 1823, p. 25.

[2] Van Espen, *Commentarius*, etc., i. c. p. 162; Neander, *Kirchengesch. l.c.* p. 601.

[3] Bingham, *Origines*, etc., lib. iii. c. vii. sec. 2.

[4] *l.c.* pp. 565 sq.

[5] Cf. *Const. Apost.* lib. ii. c. 59, lib. viii. c. 33, lib. v. c. 15; cf. Neander, *l.c.* p. 565, note 2; and *Quartalschrift*, *l.c.* p. 26.

article should be prefixed to εὐαγγέλια and ἑτέρων γραφῶν as distinguished from each other, and that instead of the vague expression ἑτέρων γραφῶν, the—in this case more significant—expression τῆς παλαίας διαθήκης might be expected. Moreover, I may add that about the middle, or at least in the last half of the fourth century, Judaizing no longer flourished, and probably no single Christian congregation held such Ebionite, un-Evangelical views. For the rest, cf. Can. 29.

Can. 17. "At the Church services the psalms shall not be sung continuously one after the other, but after each psalm there shall be a lesson read."

On this Van Espen justly remarks, that the rule in its substance is observed in our breviary also, in the nocturns.[1]

Can. 18. "The same service of prayer shall take place everywhere at the ninth hour, as in the evening."

Some feasts ended at the ninth hour, others only in the evening, and both alike with prayer. The Synod here wills that in both cases the same prayers should be used. Thus does Van Espen explain the words of the text, and I think rightly.[2] But the Greek commentator Zonaras understands the Synod to order that the same prayers should be used in all places, thus excluding all individual caprice. According to this, the rule of conformity would refer to places; while, according to Van Espen, the nones and vespers were to be the same. If, however, this interpretation were correct, the Synod would not have only spoken of the prayers at nones and vespers, but would have said in general, "all dioceses shall use the same form of prayer."

Can. 19. "After the homily of the bishop, first the prayer for the catechumens shall be said separately, and after the departure of the catechumens the prayer for the penitents, and when these also have received the imposition of hands and have withdrawn, then in like manner shall three prayers for the faithful be said: the first in silence, but the second and third repeated aloud. Hereupon the kiss of peace is given. And after the priests have given the kiss of peace to the bishop, the laity shall give the same to one another, and the Holy Sacrifice (προσφορά) shall be offered. And the clerics

[1] Van Espen, *l.c.* p. 163. [2] *Ibid.*

(*ἱερατικοί*) alone shall be permitted to approach the altar of sacrifice (*θυσιαστήριον*) and to take part in it."

Van Espen is of opinion that this canon does not speak of the prayer said by the bishop in the congregation over the catechumens and penitents, but of the prayer which the penitents, etc., themselves offered. It seems to me, however, far more probable that the liturgical prayers are here meant, which occur in the old liturgies after the homily, and are said over and for the different classes; the originals of our present general prayer after the sermon. So also Dionysius Exiguus understood it when he translated: *orationes super catechumenos*— and *super eos, qui sunt in pœnitentia.* Only of the prayers for the people he does not say *super populum* or *super fideles,* but translates *orationes fidelium,* probably because the *fideles* themselves joined in these prayers said for them from the liturgies. Here also the liturgical prayers *super populum* are meant. Isidore's translation, however, is in favour of Van Espen's interpretation: *orent etiam hi, qui in pœnitentia sunt constituti.*

Further, it is somewhat remarkable that the Greek text says that the priests shall give the bishop the kiss of peace, while Dionysius Exiguus (but not Isidore), in conformity with the Latin practice, translates: *episcopus presbyteris dederit osculum pacis.*

The opinion of Zonaras agrees with the above, namely, that, as the priests had to give the kiss of peace to the bishop, so the laity had to give the kiss of peace to the priests; but by this he understands that the priests were to hasten into the arms of the bishop, and the laity into the arms of the priests, and must really embrace them.[1]

Finally, the last word in this canon, *κοινωνεῖν,* probably means that the clergy alone might be immediately present at the altar during service, and there receive the Holy Communion.

Can. 20. "A deacon may not sit in the presence of a priest, unless bidden to do so by the priest. The deacons shall in like manner be honoured by the ministers (*ὑπηρετῶν*) and all clerics."

[1] See Bovereg. *l.c.* t. i. pp. 461, 462.

The Apostolic Constitutions prescribed the same rule.[1] But by the ministers, mentioned in the canon, as distinguished from other clerics, the sub-deacons are probably meant, as appears more plainly from the following canons:—

Can. 21. "The ministers (sub-deacons) shall not have their place in the *diaconicum*, nor touch the sacred vessels."

It is doubtful whether by *diaconicum* is here meant the place where the deacons stood during service, or the *diaconicum* generally so called, which answers to our sacristy of the present day.[2] In this *diaconicum* the sacred vessels and vestments were kept; and as the last part of the canon especially mentions these, I have no doubt that the *diaconicum* must mean the sacristy. For the rest, this canon is only the concrete expression of the rule, that the sub-deacons shall not assume the functions of the deacons.

With regard to the last words of this canon, Morinus and Van Espen are of opinion that the sub-deacons were not altogether forbidden to touch the sacred vessels, for this had never been the case, but that it was intended that at the solemn entrance to the altar, peculiar to the Greek service, the sacred vessels which were then carried should not be borne by the deacons.[3]

This canon is also inserted in the *Corpus Juris*.[4]

Can. 22. "A minister (sub-deacon) may not wear the *orarium*, nor leave his place at the door."

The *orarium* answers to the stole of the present day,[5] which the sub-deacons are even now forbidden to wear. As we see, one of the principal offices of the latter was to keep the doors during service, *i.e.* to see that catechumens and penitents departed at the right time, and that order was maintained among those present.[6]

In the *Corpus Juris*[7] this canon has been inserted with the mistranslation of *hostias* instead of *ostia*.

[1] Lib. ii. c. 57. (Gratian adopted this canon in can. 15, Dist. xciii.)

[2] Cf. Binterim, *Denkwürdigkeiten*, vol. iv. part i. pp. 140-143; Augusti, *Denkwürdigkeiten*, vol. xi. p. 389.

[3] Van Espen, *l.c.* p. 165.

[4] C. 26, Dist. xxiii.

[5] Cf. Binterim, *Denkwürdigkeiten*, vol. iv. part i. p. 191.

[6] Cf. Binterim, *l.c.* vol. i. part i. p. 328.

[7] C. 27, Dist. xxiii.

CAN. 23. "The readers and cantors may not wear the *orarium*, or read and sing in the same." [1]

CAN. 24. "No clerics from the presbyters to the deacons, and so on in ecclesiastical order, down to the ministers (sub-deacons), readers, cantors, exorcists, doorkeepers, or any of the ascetic class, shall enter a public-house."

A similar rule is given in the fifty-fourth (fifty-third) of the Apostolic Canons, where the only exception allowed is in the case of a journey.—Gratian adopted this canon, c. 2, Dist. xliv.

CAN. 25. "The ministers (sub-deacons) may not distribute the bread, or bless the chalice."

According to the Apostolic Constitutions,[2] the communion was administered in the following manner: the bishop gave to each the holy bread, with the words: "the Body of the Lord," and the recipient said, "Amen." The deacon then gave the chalice with the words: "the Blood of Christ, the chalice of life," and the recipient again answered, "Amen." This giving of the chalice with the words: "the Blood of Christ," etc., is called in the Canon of Laodicea a "blessing" (εὐλογεῖν). The Greek commentator Aristenus, in accordance with this, and quite rightly, gives the meaning of this canon in the words: οὐδὲ ἄρτον ἢ ποτήριον διδόασι τῷ λαῷ. On this compare the eighteenth canon of Nicæa, as explained above.[3]

Van Espen attempted to give a peculiar, but certainly mistaken, interpretation of the *benedicere*, namely, that as the deacons even now at the offertory give the celebrant the chalice to be blessed, and thus, as it were, co-operate in the blessing, so in former times the sub-deacons had taken this on themselves.[4]

This canon is to be found in the *Corpus Juris*.[5]

CAN. 26. "Whoever is not authorized by the bishop may not exorcise either in the churches or in houses."

Balsamon here takes exorcism (ἐξορκίζειν) to be identical with the "catechizing of unbelievers" (κατηχεῖν ἀπίστους), and Van Espen [6] remarks on this that the demons possessed a

[1] Cf. the preceding canon, and c. 28, Dist. xxiii.
[2] Lib. viii. c. 13.
[3] Vol. i. pp. 427 sqq.
[4] Van Espen, *l.c.* p. 167.
[5] *Corpus Juris*, c. 16, Dist. xciii.
[6] Van Espen, *l.c.* p. 167.

twofold power over men, both outward and inward; and as through the latter the man was among other things fast bound in unbelief, catechetical instruction was also an exorcism.[1]

CAN. 27. "Neither the higher nor lower clergy, nor the laity when summoned to the *agape*, shall take any portion of it away with them, as this brings dishonour upon the office of the clergy."

Van Espen[2] translates: "no one holding any office in the Church, be he cleric or layman," and appeals to the fact that already in early times among the Greeks many held offices in the Church without being ordained, as do now our sacristans and acolytes. I do not think, however, with Van Espen, that by ἱερατικοῖς is meant in general any one holding office in the Church, but only the higher ranks of the clergy, priests and deacons, as in the preceding twenty-fourth canon the presbyters and deacons alone are expressly numbered among the ἱερατικοῖς, and distinguished from the other (minor) clerics. And afterwards, in canon 30, there is a similar mention of three different grades: ἱερατικοί, κληρικοί, and ἀσκηταί.

The taking away of the remains of the *agape* is here forbidden, because, on the one hand, it showed covetousness, and, on the other, was perhaps considered a profanation.[3]

CAN. 28. "The so-called *agape* shall not be held in the Lord's houses (κυριακοῖς) or churches, and no one shall eat or place couches in the house of God."

Eusebius employs the expression κυριακά in the same sense as does this canon, as identical with churches.[4] The prohibition itself, however, here given, as well as the preceding canon, proves that as early as the time of the Synod of Laodicea, many irregularities had crept into the *agape*. For the rest, this Synod was not in a position permanently to banish the usage from the Church; for which reason the Trullan Synod in its seventy-fourth canon repeated this rule word for word. It was also adopted by Gratian.[5] Concerning the *agape* and its abolition Binterim may be consulted.[6]

[1] Gratian has adopted this canon, c. 2, Dist. lxix.
[2] Van Espen, *l.c.* 167.
[3] This canon is also to be found, c. 3, Dist. xlii.
[4] Euseb. *Hist. Eccl.* ix. 10.
[5] C. 4, Dist. xlii.
[6] Binterim, *Denkwürdigkeiten*, vol. ii. part ii. pp. 3-84.

CAN. 29. "Christians shall not Judaize and be idle on Saturday, but shall work on that day; but the Lord's day they shall especially honour, and, as being Christians, shall, if possible, do no work on that day. If, however, they are found Judaizing, they shall be shut out from Christ."[1]

CAN. 30. "None of the higher or lower clerics and ascetics, nor any laymen, in a word no Christian, may bathe in the same bath with females, for this is the greatest reproach among the heathen."

This canon was also repeated by the Trullan Synod, in its seventy-seventh canon, and by Gratian.[2]

CAN. 31. "Christians shall not marry heretics. They shall neither take them nor their children in marriage, nor shall they give their sons or daughters in marriage to them, until they promise to become Christians."[3]

The first half of this canon is identical with the tenth, but the last half is a somewhat milder addition.

CAN. 32. "The *eulogiæ* of the heretics shall not be accepted, for they are rather *ἀλογίαι* than *eulogiæ*."

The word *ἀλογίαι* means follies, unreasonablenesses, but the old Latin translators, Dionysius Exiguus and Isidore, chose the expression *maledictiones* to imitate the play of words in the Greek original.

Gratian has adopted this canon.[4]

CAN. 33. "No one shall pray in common with heretics and schismatics."

A similar rule is contained above in the ninth canon, and in the forty-fifth (forty-fourth) apostolic canon.

CAN. 34. No Christians shall forsake the martyrs of Christ, and turn to false martyrs, *i.e.* those of the heretics, or to the heretics themselves before mentioned, for they are far from God. Whoever, therefore, goes over to them shall be held excommunicate.

This canon forbids the honouring of martyrs not belonging to the orthodox Church. The number of Montanist martyrs of

[1] Cf. above, canon 16, and Neander, *Kirchengesch.* second edition, vol. iii. (ii. 1) pp. 566, 569.

[2] C. 28, Dist. lxxxi.

[3] Compare above, can. 10.

[4] C. 66, causa i. Qu. 1.

Phrygia was probably the occasion of this canon. The ninth canon had already laid down a similar rule.

CAN. 35. "Christians shall not forsake the Church of God and turn to the worship of angels, thus introducing a cultus of the angels. This is forbidden. Whoever, therefore, shows an inclination to this hidden idolatry, let him be anathema, because he has forsaken our Lord Jesus Christ, the Son of God, and gone over to idolatry."

The Apostle Paul had before found it needful in his Epistle to the Colossians (ii. 18), which was probably addressed also to the Laodiceans, to warn the Christians of Phrygia against a worship of angels, which was contrary to the faith. Notwithstanding which, however, this superstitious worship of angels still continued in those countries, the very native home of this Synod, for in the fifth century Theodoret of Cyrus bears witness to it in his commentary on the passage of S. Paul just quoted, observing that the Synod of Laodicæa had forbidden "praying to the angels" (*τὸ τοῖς ἀγγέλοις προσεύχεσθαι*), but that, in those regions of Phrygia and Pisidia "Michael-Churches" were to be met with as late as his own time.[1] The basis of this worship of angels was the idea that God was too high to be immediately approached, but that His good will must be gained through the angels.

It hardly needs to be observed that this canon does not exclude a regulated worship of angels, such as is usual in the Church, although on the Protestant side it has often been so interpreted. Augustine and Eusebius have long ago given the true view of this.[2] If the ancient Church allowed the worship of martyrs, why should she have entirely forbidden the worship of angels? This canon expresses the idea of the worship of angels by *ὀνομάζειν ἀγγέλους*, which gave occasion for the statement in a capitulary of Charlemagne of the year 789, that "the Synod of Laodicea had forbidden the giving of other names to the angels than those authorized: Michael, Gabriel, and Raphael."[3] Perhaps, how-

[1] Theodoret, *Opp.* t. iii. p. 490, ed. Nösselt et Schulze, 1771.

[2] Augustin. *Contra Faustum*, lib. xx. c. 21; Euseb. *Præp. Evang.* lib. vii. c. 15; cf. *Tübing. Theol. Quartalschrift*, *l.c.* pp. 33 sq.

[3] Cap. 16 [*i.e.* the only three angels whose names are mentioned in Scripture].

ever, the capitulary in question had in view a Roman Synod under Pope Zacharias in 745, which, in contradistinction to the eight angels invoked by the heretic Adelbert (at the time of S. Boniface, the apostle of the Germans), only allowed the names of the angels above mentioned.[1]

Lastly, it must be observed that, after the example of several codices of the translation by Dionysius in Merlin's edition of the Councils, instead of *angelos* was written *angulos*, which of course was originally a mere clerical error.

Can. 36. "Neither the higher nor the lower clergy may be magicians, conjurors, mathematicians, or astrologers, nor shall they make so-called amulets, which are chains for their own souls. And those who wear these amulets shall be shut out from the Church."

Concerning ἱερατικοί and κληρικοί, compare the remarks above on canon 27, but the expression μαθηματικοί must, of course, be taken in the old sense as identical with astrologers, casters of horoscopes, and such like; as, for instance, we often meet with it in Suetonius.[2] More is said concerning the amulets and other charms in the *Tübingen Review*.[3]

Can. 37. "No one shall accept festal presents from Jews and heretics, or keep the festivals with them."

Can. 38. "No one shall accept unleavened bread from the Jews, or take part in their profanity."

Can. 39. "No one shall share in the feasts of the heathen, or take part in their impiety."

Can. 40. "Bishops who are summoned to a Synod shall not consider it of small importance, but shall appear there, in order to teach or be taught that which is to the advantage of the Church and of others (possibly the *infideles*). If any one, however, disdain to appear, he is his own accuser, unless he is hindered by something unusual, δι' ἀνωμαλίαν."

By ἀνωμαλία, illness is commonly understood, and Dionysius Exiguus and Isidore translated it, the former

[1] Cf. Van Espen, *Commentar. l.c.* p. 169. [The Synod declared these angels to be evil spirits. See Neander's *Church Hist.* vol. v. p. 80.]

[2] In his *Vita Tiberii*, c. 36, he relates: "Expulit et mathematicos;" in the *Vita Vitellii*, c. 14, he mentions the edict of this Emperor: "Quo jubebat . . . urbe Italiâque mathematici excederent."

[3] *Tübing. Theol. Quartalschrift*, 1823, pp. 36 sqq.

ægritudinem, and the latter *infirmitatem*. But Balsamon justly remarks that the term has a wider meaning, and, besides cases of illness, includes other unavoidable hindrances or obstacles.[1]

This canon is found in the *Corpus Juris*.[2]

CAN. 41. "No higher or inferior cleric shall travel without canonical letters."

A similar rule was laid down in the Apostolic Canons, Nos. 13 (12) and 34 (32), and also by the Antiochian Synod of 341, in its seventh canon.[3] The fourth General Council of Chalcedon, in its thirteenth canon, renewed this rule.

CAN. 42. "The higher and inferior clerics shall make no journey without an order from the bishop."[4]

CAN. 43. "The ministers (sub-deacons) may not leave the doors even for a short time to pray."[5]

CAN. 44. "Women may not approach near the altar."

CAN. 45. "After the second week of Lent, no more persons shall be received for baptism."

The reception of the *competentes* (φωτιζόμενοι) took place at the beginning of Lent.[6]

CAN. 46. "Those to be baptized shall learn the creed (*Symbolum*) by heart, and recite it on Thursday before the bishop or the priests."

It is doubtful whether by the Thursday of the text was meant only the Thursday of Holy Week, or every Thursday of the time during which the catechumens received instruction.

The Greek commentators are in favour of the latter, but Dionysius Exiguus and Isidore, and after them Bingham, are, and probably rightly, in favour of the former meaning.[7] This canon was repeated by the Trullan Synod in its seventy-eighth canon.

[1] See Beveregius, *Pandectæ Canon.* t. i. p. 471. [2] C. v. Dist. xviii.

[3] Cf. above, p. 69.

[4] Adopted in the *Corpus Juris*, c. 36, Dist. v. *de Consecratione*.

[5] Cf. above, canon 22.

[6] Cf. *Tübing. Theol. Quartalschrift*, 1823, pp. 39 sq.; Mayer, *Gesch. des Katechumenats*, 1868, pp. 75 sq.

[7] Cf. Beveregius, *l.c.* p. 249; and Bingham, *Origines Eccl.* lib. x. c. ii. sec. 9; also *Tübing. Theol. Quartalschrift*, 1823, p. 41; Mayer, *Gesch. des Katechumenats*, 1868, p. 103.

Can. 47. "Those who have received baptism during an illness, if they recover, shall learn the creed by heart, and be made to understand that a divine gift has been vouchsafed to them."

Can. 48. "The baptized shall, after baptism, be anointed with the heavenly chrism, and be partakers of the kingdom of Christ."

Tertullian had already spoken of such an anointing;[1] but "heavenly" here signifies "holy," "consecrated."

Can. 49. "During Lent, the bread shall not be offered, except on Saturday and Sunday."

This canon, which was repeated by the Trullan Synod in its fifty-second canon, orders that on ordinary week days during Lent, only a *Missa Præsanctificatorum* should take place, as is still the custom with the Greeks on all days of penitence and mourning, when it appears to them unsuitable to have the full liturgy, and as Leo Allatius says, for this reason, that the consecration is a joyful act.[2] A comparison of the above sixteenth canon, however, shows that Saturday was a special exception.

Can. 50. "The fast shall not be relaxed on the Thursday of the last week of Lent, thus dishonouring the whole season, but the fast shall be kept throughout the whole period."[3]

Can. 51. "During Lent, no feasts of the martyrs shall be celebrated, but the holy martyrs shall be commemorated on the Saturdays and Sundays of Lent."

For the obvious reason that on these days there was full and solemn service.[4]

Can. 52. "No wedding or birthday feast shall be celebrated during Lent."

By the γενέθλια of this canon the *natalitia martyrum* is not to be understood, as in the preceding canon, but the birthday feasts of princes. This, as well as the preceding rule, was renewed in the sixth century by Bishop Martin of Bracara, now Braga, in Portugal.[5]

[1] Tertullian, *De Bapt.* c. 7, 8.

[2] Leo Allat. *De Missa Præsanct.* sec. xii.; cf. *Tübing. Theol. Quartalschrift, l.c.* p. 41; Rheinwald, *Archæologie*, p. 344, note 2; Fuchs, *Bibl. der Kirchenvers.*, vol. ii. p. 333, note 397.

[3] Cf. *supra*, pp. 298 sqq.

[4] Cf. above, canon 49.

[5] Canon 48. See Hard. t. iii. p. 397.

Gratian adopted this canon.[1]

CAN. 53. "Christians, when they attend weddings, shall not jump and dance, but shall partake of the meal or breakfast with a modesty becoming Christians."

CAN. 54. "The higher and inferior clergy shall not join in witnessing any dramatic performance at weddings or feasts, but before the actors appear they shall rise and go."

The Trullan Synod in its twenty-fourth canon made a similar rule, and Gratian has adopted this canon.[2]

CAN. 55. "The higher and inferior clergy, and also the laity, shall not put together their contributions and hold feasts in common."

Adopted by Bishop Martin of Braga[3] and by Gratian.[4]

CAN. 56. "The priests shall not enter and take their seats in the bema before the entrance of the bishop, but they shall always enter after the bishop, unless the latter is ill or absent."

CAN. 57. "In villages and in the country no bishops may be appointed, but visitors (*περιοδευταί*); and those who are already appointed shall do nothing without the consent of the bishop of the town, as also the priests may do nothing without the consent of the bishop."

Compare the eighth and tenth canons of the Synod of Antioch of 341, the thirteenth of the Synod of Ancyra, and the second clause of the sixth canon of the Synod of Sardica. The above canon orders that from henceforth, in the place of the rural bishops, priests of higher rank shall act as visitors of the country dioceses and country clergy. Dionysius Exiguus, Isidore, the Greek commentators, Van Espen,[5] Remi Ceillier,[6] Neander,[7] and others thus interpret this canon; but Herbst, in the *Tübingen Review*, translates the word (*περιοδευταί*) not visitors, but physicians—physicians of the soul,—and for this he appeals to passages from the Fathers of the Church collected by Suicer in his *Thesaurus*.[8]

Binterim, in his *Denkwürdigkeiten*,[9] speaks in detail of the *χωρεπίσκοποι*, where he tries to show that these rural bishops

[1] C. 8, causa xxxiii. 9, 4.
[2] C. 37, Dist. v. *De Consecratione*.
[3] C. 61, in Hard. t. iii. p. 398.
[4] C. 10, Dist. xliv.
[5] Van Espen, *l.c.* p. 175.
[6] *Histoire Générale*, etc., t. iv. p. 733.
[7] Neander, *l.c.* p. 328.
[8] *Tübing. Theol. Quartalschrift*, *l.c.* p. 43.
[9] Binterim, *Denkwürdigkeiten*, vol. i. part ii. pp. 386–414.

were real bishops, and entitled to perform strictly pontifical acts. Augusti is of the same opinion;[1] but Thomassin makes two classes of chorepiscopi, of whom the one were real bishops, while the other only had the title without consecration.[2] Holzer endeavoured to show that subsequently to the directions of this Synod the chorepiscopi had not been real bishops, but simply priests, and this only in the episcopal town and not in the country.[3] I do not, however, feel able entirely to agree with him; it seems rather that the rules of Laodicea were not fully carried out, for as late as the fifth century we meet with very many real *chorepiscopi* in the country towns and villages of Africa.[4]

This canon is found in the *Corpus Juris*.[5]

CAN. 58. "No sacrifices shall be offered in houses (*προσφορὰς γίνεσθαι*) by bishops or priests."

That the Eucharistic sacrifice is here meant is obvious (for the Christian may, of course, pray anywhere), and the Greek commentators also say this very expressly.

CAN. 59. "No psalms composed by private individuals or uncanonical books may be read in the church, but only the canonical books of the Old and New Testament."

Several heretics—for instance, Bardesanes, Paul of Samosata, and Apollinaris—had composed psalms, *i.e.* Church hymns. The Synod of Laodicea forbade the use of any composed by private individuals, namely, all unauthorized Church hymns. Lüft remarks that by this it was not intended to forbid the use of all but the Bible psalms and hymns, for it is known that even after this Synod many hymns composed by individual Christians—for instance, Prudentius, Clement, and Ambrose—came into use in the Church. Only those not sanctioned were to be banished.[6]

CAN. 60. "These are all the books of the Old Testament

[1] Augusti, *Denkwürdigkeiten*, vol. xi. pp. 159 sqq.

[2] Thomassin, *De Nova et Vet. Eccl. Discipl.* P. i. lib. ii. c. i. 2.

[3] *De Proepiscopis Trevirensibus*, 1845, pp. i. sqq.; cf. *Tübing. Theol. Quartalschrift*, 1845, p. 572.

[4] Cf. Binterim, *l.c.* p. 405, and *Tübing. Theol. Quartalschrift*, 1845, p. 573.

[5] Canon 5, Dist. lxxx.

[6] Lüft, *Liturgik*, vol. ii. p. 138; Kayser, *Beiträge zur Gesch. der Erklärung der Kirchenhymnen*, No. 1, Paderborn 1866, p. 49.

which may be read aloud: (1) Genesis, (2) Exodus, (3) Leviticus, (4) Numbers, (5) Deuteronomy, (6) Joshua, (7) Judges, Ruth, (8) Esther, (9) First and Second Book of Kings,[1] (10) Third and Fourth Book of Kings, (11) First and Second Book of Paraleipomena (Chronicles), (12) First and Second Book of Ezra, (13) the Book of the 150 Psalms, (14) the Proverbs of Solomon, (15) Ecclesiastes (the Preacher), (16) the Song of Songs, (17) Job, (18) The twelve Prophets, (19) Isaiah, (20) Jeremiah and Baruch, the Lamentations and Letters (according to Zonaras, 'the Letter'), (21) Ezekiel, (22) Daniel. The Books of the New Testament are these: four Gospels according to S. Matthew, S. Mark, S. Luke, and S. John; the Acts of the Apostles; the seven Catholic Epistles, namely, one by S. James, two by S. Peter, three by S. John, one by S. Jude; the fourteen Epistles of S. Paul,—one to the Romans, two to the Corinthians, one to the Galatians, one to the Ephesians, one to the Philippians, one to the Colossians, two to the Thessalonians, one to the Hebrews, two to Timothy, one to Titus, one to Philemon."

In this list of the canonical books, which approaches that given in the Apostolic Canons, No. 85 (84),[2] are wanting of the Old Testament, the books of Judith, Tobias, Wisdom, Jesus the son of Sirach, Maccabees; of the New Testament, the Apocalypse of S. John. Such an omission is, however, the less remarkable, as it is known that in the fourth century it was the custom, even among the Fathers of the Church (for instance, Athanasius), to reckon in the catalogue of the Holy Scriptures only the proto-canonical, and not the deutero-canonical books.[3] The same applies to the Revelation of S. John, which was also in the fourth century thought not to be genuine by a large number of Greeks.

A special treatise concerning the genuineness of this canon was published by Spittler in 1777,[4] in which he seeks to show

[1] [First and Second of Samuel, E. V.]

[2] The chief difference between them is that the list of the Apostolic Canons mentions three books of Maccabees and, in the New Testament, two of the Roman Clement and the eight books of the Apostolic Constitutions.

[3] Herbst-Welte, *Einleitung in A. T.* part i. pp. 31 sqq.; Lücke, *Einleitung in Offenbarung Johan*, 1832, p. 335.

[4] Newly printed in the collection of his works, published by K. Wächter, vol. viii. pp. 66 sqq.

that it did not emanate from the Synod of Laodicea, but was only added later, and taken fromt he eighty-fifth Apostolic Canon. His principal reasons are :—

(*a*) That Dionysius Exiguus has not this canon in his translation of the Laodicean decrees.[1] It might, indeed, be said with Dallæus and Van Espen, that Dionysius omitted this list of the books of Scripture because in Rome, where he composed his work, another by Innocent I. was in general use.[2]

(*b*) But, apart from the fact that Dionysius is always a most faithful translator,[3] this sixtieth canon is also omitted by John of Antioch,[4] one of the most esteemed and oldest Greek collectors of canons,[5] who could have had no such reasons as Dionysius for his omission.

(*c*) Lastly, Bishop Martin of Braga in the sixth century, though he has the fifth-ninth, has also not included in his collection[6] the sixtieth canon so nearly related to it, nor does the Isidorian translation appear (?) at first to have had this canon.[7] Herbst, in the *Tübingen Review*,[8] also accedes to these arguments of Spittler's, as did Fuchs[9] and others before him. But Schrockh at least, even if somewhat hesitatingly, has raised the objection, that if this Synod in its fifty-ninth canon ordered that only the canonical books should be read, an explanation was obviously needed as to which are the canonical books.[10] To this I may further add, first, that the Laodicean Canon of Scripture and that of the *Canones Apost.* are by no means identical, as Spittler assumes, but differ essentially both in the Old and New Testament ;[11] secondly,

[1] The still older Latin translation, named *Prisca*, does not here come under consideration, as it has none of the Laodicean canons.

[2] Van Espen, *Commentar. l.c.* p. 176.

[3] Cf. *Tübing. Theol. Quartalschrift*, 1823, p. 44 ; Spittler, *l.c.* p. 103.

[4] Spittler, *l.c.* pp. 91 sqq.

[5] The collection of John of Antioch is printed in Justell, *Biblioth. Juris Canon.*, Paris 1661, t. ii. p. 600.

[6] Canon 67, Hard. t. iii. p. 398 ; Spittler, *l.c.* pp. 120 sqq.

[7] Spittler, *l.c.* pp. 110 sqq., 121 sq. The Ballerini (*S. Leonis Opp.* t. iii. p. 441, note 48) showed that this canon 60 is to be found in some ancient though much altered copies of the Isidorian translation, and not in others.

[8] *Tübinger Theol. Quartalschrift*, 1823, pp. 44 sqq.

[9] *Biblioth. der Kirchenvers.*, vol. ii. p. 336.

[10] Schrockh, *Kirchengesch.*, second edition, vol. vi. p. 252.

[11] Cf. above, p. 323, note 1.

that the two *argumenta ex silentio* which Spittler alone employs in favour of his assertion, namely, the silence of Dionysius, John of Antioch, and Martin of Braga,[1] are not in my opinion sufficient to outweigh the many manuscripts and quotations which support the sixtieth canon.[2] And that only fifty-nine Laodicean canons are cited by many of the ancient Fathers proves nothing for Spittler, because, as he himself states, in very many old manuscripts the fifty-ninth and sixtieth canons were written as one, as the latter does in fact belong to the former.[3]

Sec. 94. *Synod at Gangra.*

A second Synod, also in Asia Minor, of uncertain date, but about the same time as that of Laodicea, was held about the middle of the fourth century at Gangra, the metropolis of Paphlagonia, of which we still possess twenty canons, and a Synodal Letter addressed to the bishops of Armenia. In the heading of the latter the Bishops Eusebius, Ælianus, Eugenius, Olympius, Bithynicus, Gregory, Philetus, Pappus, Eulalius, Hypatius, Proairesius, Basil, and Bassus give their names as members of the Synod of Gangra, but there is no intimation of the Episcopal Sees of any of them. Other names appear in some manuscripts of the Latin translation of this Synodal Letter, made by Dionysius Exiguus, among which occurs, *e.g.*, that of Hosius of Corduba, certainly wrongly, as neither the Greek, the many Latin codices, nor the *Prisca*[4] have it:[5] moreover, at the time of the Synod of Gangra, Hosius was without doubt dead. Baronius[6] and Binius[7] were therefore certainly

[1] When Martin of Braga arranged his collection of different canons of various Synods, the Western Church already possessed a complete canon of Scripture, and for that very reason he might have omitted the sixtieth Canon of Laodicea, especially as he did not include all the Laodicean canons. What Spittler urges besides, in order to make it probable that the original Isidorian collection was also without this canon, seems to me bold, far-fetched, and hypercritical in the highest degree. As, moreover, the omission of the sixtieth Laodicean canon may be explained as above shown by Dallæus and Van Espen, there remains, in fact, only one single case of omission, *i.e.* by John of Antioch.

[2] Spittler, *l.c.* p. 79.

[3] Cf. Spittler, *l.c.* pp. 72–76.

[4] In Mansi, t. vi. p. 1152.

[5] On this cf. Van Espen, in his *Commentarius in Canones*, etc., *l.c.* p. 129, and the Ballerini in their edition of the works of S. Leo the Great, t. iii. p. xxiv.

[6] Baron. *Annal.* t. iii. ad. ann. 361, n. 44.

[7] In his notes on the Synod of Gangra in Mansi, t. ii. p. 1115.

wrong in maintaining that Hosius presided at this Synod in the name of the Pope; for even if the Latin codices which insert his name had been right, no inference whatever could be drawn in favour of his presidency, as they only mention his name somewhat late, and not *primo loco*.[1]

The *Libellus Synodicus*[2] mentions another president of the Synod of Gangra, namely, a certain Dius.[3] The Ballerini[4] think that it should be *Βίος*, and that this again is only an abbreviation by copyists of *Εὐσέβιος*, who is named *primo loco* in the heading of the Synodal Letter. Which Eusebius is here meant is indeed doubtful, and depends upon the view taken as to the time when the Synod was held. Some take him to be the well-known Eusebius of Constantinople, formerly in Nicomedia; others the Eusebius, Archbishop of Cæsarea in Cappadocia (362–370), the predecessor of S. Basil the Great.

The Synodal Letter of Gangra says that "the Synod assembled on account of certain necessities of the Church, and for the investigation of the affair of Eustathius; and having found that many improprieties had been committed by the Eustathians, it therefore sought to remove the evils occasioned by him, Eustathius."[5] It then enumerates the following disorders occasioned by the Eustathians:—

(1.) "As the Eustathians condemn marriage, and maintain that no married person has hope with God, they have dissolved many marriages; and as those separated lacked the gift of continence, they have given occasion to adultery.

(2.) "They caused many to forsake the public assemblies for divine service, and to organize private conventicles.

(3.) "They despise the ordinary dress, and introduce a new (ascetic, monastic) dress.

(4.) "The first-fruits which are given to the Church they claim for themselves, as being *par excellence* the saints.

(5.) "Slaves run away from their masters and despise them, presuming upon their new dress.

[1] On this question cf. Van Espen, *l.c.* p. 129. [2] See above, vol. i. p. 77.
[3] In Mansi, t. ii. p. 1121.
[4] In their edition of the works of S. Leo, t. iii. p. xxiv.
[5] Printed in Mansi, *Coll. Concil.* t. ii. p. 1095; Hard. *Coll. Concil.* t. i. p. 500; Bruns, *Bibliotheca Ecclesiastica, seu Canones Apostolorum et Conciliorum*, 1839, P. i. p. 106.

(6.) "Women now assume men's clothes, and think themselves thereby justified; nay, many shave their heads under the pretext of piety.

(7.) "They fast on Sundays, but eat on the fast-days of the Church.

(8.) "Some forbid all animal food.

(9.) "They will not pray in the houses of married people.

(10.) "They will not take part in sacrifices (Eucharistic sacrifices) in the houses of married people.

(11.) "They despise married priests, and take no part in their worship.

(12.) "They despise the services (masses) in honour of the martyrs,[1] as well as those who join in them.

(13.) "They maintain that the rich who do not forsake all have no hope of being saved.

"Besides this, much else that is wrong is taught by them, while they are not at unity among themselves, and each one adds what comes into his own mind. The Council accordingly condemns them, and declares them shut out from the Church; but in the case of their coming to a better mind and anathematizing their errors, they shall be again received."

In this passage the chief contents of the canons of Gangra are already given; for they are in substance no more than anathemas of the above-mentioned errors and irregularities of the Eustathians.[2] They run thus:—

Can. 1. "If any one despises wedlock, abhorring and blaming the woman who sleeps with her husband, even if she is a believer and devout, as if she could not enter the kingdom of God, let him be anathema" (that is, without further judgment shut out from the Church).[3]

Gratian has twice adopted this canon in his collection, the first time according to the Isidorian translation,[4] the second time according to the translation of Dionysius Exiguus.[5] In the latter place he wrongly refers it to the prohibition of the

[1] Through an error in printing, the words καὶ τὰς συνάξεις τῶν μαρτύρων are omitted in Mansi, t. ii. p. 1101, which Fuchs, in his *Bibliothek der Kirchenvers.*, vol. ii. p. 310, did not observe.

[2] These canons are printed in all collections of the Councils, namely, in Mansi, t. ii. pp. 1101 sqq.; Hard. t. i. pp. 534 sqq.; Bruns, *l.c.* pp. 107 sqq.

[3] See Kober, *Kirchenbann*, p. 58. [4] C. 12, Dist. xxx. [5] C. 8, Dist. xxxi.

marriage of priests, and as wrongly thinks that it was directed against the Manicheans,[1] while in truth Eustathius and his exaggerated veneration of the *vita monastica* gave occasion for it.

CAN. 2. "If any one condemns one who eats meat, though he abstains from blood, idolatrous sacrifices, and things strangled, and is faithful and devout, as if in so doing he had no hope of salvation, let him be anathema."

This canon also, like the preceding one, is not directed against the Gnostics and Manicheans, but against an unenlightened hyper-asceticism, which certainly approaches the Gnostic-Manichean error as to matter being Satanic. We further see that, at the time of the Synod of Gangra, the rule of the Apostolic Synod with regard to blood and things strangled was still in force. With the Greeks, indeed, it continued always in force, as their Euchologies still show. Balsamon also, the well-known commentator on the canons of the Middle Ages, in his commentary on the sixty-third Apostolic Canon,[2] expressly blames the Latins because they had ceased to observe this command. What the Latin Church, however, thought on this subject about the year 400, is shown by S. Augustine in his work *Contra Faustum*,[3] where he states that the apostles had given this command in order to unite the heathens and Jews in the one ark of Noah; but that then, when the barrier between Jewish and heathen converts had fallen, this command concerning things strangled and blood had lost its meaning, and was only observed by few. But still, as late as the eighth century, Pope Gregory the Third (731) forbade the eating of blood or things strangled under threat of a penance of forty days.[4]

Gratian adopted this canon.[5]

CAN. 3. "If any one teaches a slave, under pretext of piety, to despise his master, to forsake his service, or not to serve him with good-will and entire respect, let him be anathema."

[1] This double error of Gratian's has already been observed and censured by the Roman revisers in their notes on c. 8, Dist. xxxi.; see the Bohemian edition of the *Corp. Jur. Can.*

[2] In Bevereg. *Pandectæ Canonum*, t. i. p. 41.

[3] Lib. xxxii. c. 13.

[4] S. Gregory III. *Penitential Canons*, c. 29, in Hard. t. iii. p. 1876.

[5] C. 13, Dist. xxx.

As appears from this, and from the fifth article of the Synodal Letter, which is in accordance with it, many Christian slaves assumed the *habitus monasticus*, and left the service of their masters of their own accord to lead an ascetic life. The rule of this Synod harmonizes with 1 Tim. vi. 1 and Tit. ii. 9, 10. In the *Corpus Jur. Can.* this canon is found twice, viz. in the Isidorian translation,[1] and the collection of Bishop Martin of Braga.[2]

Can. 4. "If any one maintains that, when a married priest offers the sacrifice, no one should take part in the service, let him be excommunicated."

As is well known, the ancient Church, as now the Greek Church, allowed those clergy who were married before their ordination to continue to live in matrimony. Compare what was said above in the history of the Council of Nicæa, in connection with Paphnutius, concerning the celibacy and marriage of priests in the ancient Church.[3] Accordingly this canon speaks of those clergy who have wives and live in wedlock; and Baronius,[4] Binius,[5] and Mitter-Müller[6] gave themselves useless trouble in trying to interpret it as only protecting those clergy who, though married, have since their ordination ceased to cohabit with their wives.

The so-called *Codex Ecclesiæ Romanæ* published by Quesnel, which, however, as was shown by the Ballerini, is of Gallican and not Roman origin,[7] has not this canon, and consequently it only mentions nineteen canons of Gangra.[8]

Can. 5. "If any one teaches that the house of God is to be despised, and likewise the services there held, let him be anathema."[9]

Can. 6. "If any one, avoiding the churches, holds private meetings, and in contempt of the Church performs that which belongs only to her, without the presence of a priest with authority from the bishop, let him be anathema."[10]

[1] C. 37, Causa xvii. Quæst. 4.
[2] C. 38. See above, pp. 324, 325, note 1.
[3] Vol. i. p. 435.
[4] *Annales*, t. iii. ad ann. 361, n. 55.
[5] See Binius' notes on this passage in Mansi, t. ii. p. 1117.
[6] In Moy's *Archive*, etc., 1866, book 5.
[7] See their edition of *Opp. S. Leonis M.*, t. iii. pp. 124, 685, 755.
[8] Cf. Van Espen, *l.c.* p. 131.
[9] In Gratian, c. 10, Dist. xxx.
[10] In Gratian, c. 11, Dist. xxx.

Both these canons forbid the existence of conventicles, and conventicle services. It already appears from the second article of the Synodal Letter of Gangra, that the Eustathians, through spiritual pride, separated themselves from the rest of the congregation, as being the pure and holy, avoided the public worship, and held private services of their own. The ninth, tenth, and eleventh articles of the Synodal Letter give us to understand that the Eustathians especially avoided the public services when married clergy officiated. We might possibly conclude, from the words of the sixth canon: "*μὴ συνόντος τοῦ πρεσβυτέρου κατὰ γνώμην τοῦ ἐπισκόπου*," that no priest performed any part in their private services; but it is more probable that the Eustathians, who did not reject the priesthood as such, but only abhorred the married clergy, had their own unmarried clergy, and that these officiated at their separate services. And the above-mentioned words of the canon do not the least contradict this supposition, for the very addition of the words *κατὰ γνώμην τοῦ ἐπισκόπου* indicate that the sectarian priests who performed the services of the Eustathians had received no permission to do so from the bishop of the place. Thus did the Greek commentators, Balsamon, etc., and likewise Van Espen, interpret this canon.[1]

CAN. 7. "If any one appropriates to himself the tithes of fruit (oblations) belonging to the Church, or distributes them outside the Church, that is, to those who are not ministers of the Church, without the consent of the bishop, or without being authorized by him, and will not act according to his will, let him be anathema."

CAN. 8. "If any one gives or receives such offerings without the consent of the bishop, or one appointed by him for the administration of charities, the giver as well as the receiver shall be anathematized."

Compare on this the fourth article of the Synodal Letter of Gangra, the fourth Apostolic, and the twenty-fourth Antiochian canon of the year 341.[2]

CAN. 9. "If any one lives unmarried or in continence, avoiding marriage from contempt, and not because of the beauty and holiness of virginity, let him be anathema."

[1] Van Espen, *Commentarius*, etc., p. 132. [2] Cf. *supra*, p. 73.

Can. 10. "If any one of those who for the Lord's sake remain single, in pride exalts himself above those who are married, let him be anathema."

That virginity without humility has no worth, had already been taught by the apostolic Fathers, Clement of Rome,[1] and Ignatius of Antioch.[2] Gratian adopted both these canons.[3]

Can. 11. "If any one despises those who in the faith solemnize the *agape*, and for the honour of the Lord invite their brethren to it, and will take no part in these invitations because he lightly esteems the matter, let him be anathema."

The Synodal Letter of Gangra does not mention this point, as neither do Socrates and Sozomen, although they point out the other errors of the Eustathians.[4] But, as Van Espen remarks, by the *agape* must not here be understood the ancient Church ceremony of that name, but such love-feasts as were given by wealthy Christians to the poor.[5]

Can. 12. "If any man from supposed asceticism wears the *peribolæum* (the pallium of philosophers and monks), and as if he were thereby made righteous, despises those who in piety wear upper garments (*βήρους*), and make use of other common and ordinary clothing, let him be anathema."

The *βήροι* (*laccrnæ*) were the common upper garments worn by men over the tunic; but the *περιβόλαια* were rough mantles worn by philosophers to show their contempt for all luxury.[6] Socrates,[7] and the Synodal Letter of Gangra in its third article, say that Eustathius of Sebaste wore the philosopher's mantle. But this canon in no way absolutely rejects a special dress for monks, for it is not the distinctive dress, but the proud and superstitious over-estimation of its worth, which the Synod here blames.[8] In Gratian this canon is found in c. 15, Dist. xxx.

Can. 13. "If a woman from pretended asceticism alters

[1] *Epist. I. ad Corinth.* c. 38.

[2] *Epist. ad Polyc.* c. 5.

[3] C. iv. 5, Dist. xxx., and c. 9, Dist. xxxi.

[4] Socrat. *Hist. Eccl.* ii. 43; Sozom. *Hist. Eccl.* iii. 14.

[5] Van Espen, *l.c.* p. 133. In the *Corpus Jur. Can.* this canon is found as c. 1, Dist. xlii.

[6] On this compare the article *βήρος* in Suicer's *Thesaurus*, and Walch's *Antiquitates Pallii Philos.* p. 245.

[7] Socrat. ii. 43.

[8] Cf. Van Espen, *l.c.* p. 133.

her dress, and instead of the customary female dress assumes male attire, let her be anathema."

The Synodal Letter in its sixth article also speaks of this. Exchange of dress, or the adoption by one sex of the dress of the other, was forbidden in the Pentateuch (Deut. xxii. 5), and was therefore most strictly interdicted by the whole ancient Church.[1] Such change of attire was formerly adopted mainly for theatrical purposes, or from effeminacy, wantonness, the furtherance of unchastity, or the like. The Eustathians, from quite opposite and hyper-ascetical reasons, had recommended women to assume male, that is, probably monk's attire, in order to show that for them, as the holy ones, there was no longer any distinction of sex; but the Church, also from ascetical reasons, forbade this change of attire, especially when joined to superstition and puritanical pride.[2]

CAN. 14. "If a woman leaves her husband and separates herself, from an abhorrence of the marriage state, let her be anathema."

Compare the first article of the Synodal Letter. It is plain, and Van Espen has expressly pointed out, that the question here is not of divorce in its real sense (*a vinculo*), but of a separation *quoad thorum*. Whether this separation from table and bed took place with or without the mutual consent of both parties is of no importance, for in either case it was the result of a false dogmatic reason, *i.e.* the opinion mentioned in the Synodal Letter, that a married person could not be saved. Therefore this canon cannot in any way be employed in opposition to the practice of the Catholic Church. For though the Church allows one of a married couple, with the consent of the other, to give up matrimonial intercourse, and to enter the clerical order or the cloister, still this is not, as is the case with the Eustathians, the result of a false dogmatic theory, but takes place with a full recognition of the sanctity of marriage.

[1] Tertull. *De Spectac.* c. 23; Cyprian, *Ep.* lxi. ad Euchratium; Ambros. *Lib.* iv. *Epist.* xv.; Chrysost. *Opp.* t. vii. p. 22. Cf. my treatise on the severity of the life and views of the early Christians, *Tüb. Theol. Quartalschr.* 1841, p. 400, and Contributions to *Kirchengesch.* etc., 1864, vol. i. p. 30.

[2] Gratian adopted this canon in his decrees, C. 6, Dist. xxx.

Gratian adopted this canon [1] from the Isidorian translation, which wrongly says: *soluto vinculo conjugali.*

CAN. 15. "If any one forsakes his children, and does not educate them, and, as far as he can, train them in fitting habits of piety, but neglects them under the pretext of asceticism, let him be anathema." [2]

CAN. 16. "If children, especially those of Christian parents, forsake them, under the pretext of piety, and do not show them due honour, on the plea of esteeming piety as the higher duty, let them be anathema."[3]

It appears from the translation given, that the words *προτιμωμένης δηλονότι παρ' αὐτοῖς τῆς θεοσεβείας*—"thus plainly esteeming piety the higher duty"—are spoken in the sense of the Eustathians, and contain the pretext with which they defended their wrong behaviour towards their parents, as did the Pharisees of whom Christ says: "But ye say, Whosoever shall say to his father or his mother, It is a gift, by whatsoever thou mightest be profited by me, and honour not his father or his mother, he shall be free. Thus have ye made the commandment of God of none effect by your traditions" (Matt. xv. 5, 6).[3]

CAN. 17. "If a woman from pretended asceticism cuts off her hair given her by God to remind her of her subjection, thus renouncing the command of subjection, let her be anathema."

The Apostle Paul, in the first Epistle to the Corinthians, xi. 10, represents the long hair of women, which is given them as a natural veil, as a token of their subjection to man. We learn from the Synod of Gangra, that as many Eustathian women renounced this subjection, and left their husbands, so, as this canon says, they also did away with their long hair, which was the outward token of this subjection. An old proverb says: *duo si faciunt idem, non est idem.* In the Catholic Church also, when women and girls enter the cloister, they have their hair cut off, but from quite other reasons than those of the Eustathian women. The former give up their hair, because it has gradually become the custom to consider the long hair of women as a special beauty, as their greatest

[1] C. 3, Dist. xxx.
[2] In Gratian, C. 14, Dist. xxx.
[3] In Gratian, C. 1, Dist. xxx.

ornament; but the Eustathians, like the ancient Church in general, regarded long hair as the token of subjection to the husband, and, because they renounced marriage and forsook their husbands, they cut it off. On this compare Van Espen,[1] and the sixth article of the Synodal Letter of Gangra. Gratian has adopted this passage also, after Isidore's inaccurate translation.[2]

CAN. 18. "If any one from pretended asceticism fasts on Sunday, let him be anathema."

Compare the seventh article of the Synodal Letter, and in Gratian, c. 7, Dist. xxx.

CAN. 19. "If an ascetic, as possessing perfect understanding, and without bodily necessity, out of pride does not keep the fasts universally commanded, and observed by the whole Church, let him be anathema."

The words, ἀποκυροῦντος ἐν αὐτῷ τελείου λογισμοῦ, present a certain amount of difficulty. I translated: "possessing full understanding," and supposed the words in question spoken in the spirit of the Eustathians. Van Espen also understands them thus, as he translates, *perfectâ in eo residente ratione*, and remarks that this refers to the pride of the Eustathians, who laid claim to a better understanding of Christianity than any others.[3] The Greek commentator Zonaras also agrees with this.[4] But Hardouin and Mansi interpret the passage differently, and translate: *si deliberato consilio hæc jejunia improbet, i.e.* "if the Eustathian deliberately rejects the Church fasts."

In Gratian this canon occurs in c. 8, Dist. xxx., again mistranslated, but differing from Isidore and Dionysius Exiguus.

CAN. 20. "If any one out of pride and scorn censures the συνάξεις of the martyrs or the services there held, and the commemoration of the martyrs, let him be anathema."

Van Espen is of opinion that the Eustathians had generally rejected the common service as only fit for the less perfect, and that the martyr chapels are only mentioned here, because in old times service was usually held there.[5] According to

[1] *Commentarius, l.c.* p. 135.
[2] C. 2, Dist. xxx.
[3] *Commentarius, l.c.* p. 136.
[4] Bevereg. *Pandect.*, t. i. p. 425.
[5] *Commentarius, l.c.* p. 136.

this view, no especial weight need be attached to the expression *μαρτύρων*. But this canon plainly speaks of a disrespect shown by the Eustathians to the martyrs. Compare the twelfth article of the Synodal Letter. Fuchs thought that, as the Eustathians resembled the Aerians, who rejected the service for the dead, the same views might probably be ascribed to the Eustathians.[1] But, in the first place, the Aerians are to be regarded rather as opposed than related in opinion to the Eustathians, being lax in contrast to these ultra-rigorists. Besides which, Epiphanius only says that they rejected prayer for the salvation of the souls of the departed, but not that they did not honour the martyrs;[2] and there is surely a great difference between a feast in honour of a saint, and a requiem for the good of a departed soul. Why, however, the Eustathians rejected the veneration of martyrs is nowhere stated; perhaps because they considered themselves as saints *κατ' ἐξοχήν*, exalted above the martyrs, who were for the most part only ordinary Christians, and many of whom had lived in marriage, while according to Eustathian views no married person could be saved, or consequently could be an object of veneration.

Lastly, it must be observed that the first meaning of *σύναξις* is an assembly for divine service, or the service itself; but here it seems to be taken to mean *συναγωγή*, the place of worship, so that the *συνάξεις τῶν μαρτύρων* seems to be identical with *martyria*, and different from the *λειτουργίαι* held in them, of which the latter words of the canon speak.

To these twenty canons the Synod of Gangra added an epilogue, which is often cited in the old manuscripts as the twenty-first canon, and the object of which was to prevent any misinterpretations of the decrees. It runs thus:

"We write (order) this, not in order to shut out those who in the Church of God, and in accordance with the Holy Scriptures, desire to lead ascetic lives, but those who make asceticism a pretext for pride, exalt themselves above those who lead simpler lives, and introduce innovations contrary to the Holy Scriptures and the canons of the Church. We, too,

[1] Fuchs, *Biblioth. der Kirchenvers.*, vol. ii. p. 318.
[2] Epiph. *Hær.* 75, 3.

admire the virginity which is accompanied with humility, and approve continence when joined to dignity and virtue. We approve the renunciation of worldly affairs, if done with humility, and honour married intercourse as seemly, nor do we despise riches if united with righteousness and benevolence. We praise that simplicity and uncostliness of dress, which without ornament only serves for the needs of the body, and do not approve the effeminate and luxurious advance in dress. We also honour the house of God, and the assemblies held therein; but we do not confine holiness to these houses alone, but honour every place which is built in the name of God (therefore also the *martyria*). We approve the common service in the Church of God for the good of the community, and value the immense charities of the brethren, which, in accordance with traditional order, are bestowed upon the poor through the Church; and, to sum up all, we wish that everything handed down in the Holy Scriptures and the Apostolic Traditions (that is, rules and usages) delivered to us (*παραδοθέντα—παραδοσέων*) should be observed in the Church." Gratian divided this Epilogue into two canons.[1]

As we have seen, the Synod of Gangra was occasioned by the proud hyper-asceticism of Eustathius and his followers. Socrates and Sozomen both maintain that this Eustathius was no other than the well-known Bishop of Sebaste bearing the same name, with whom we became acquainted among the heads of the Semi-Arians.[2] They also describe him as a strictly ascetic man, who introduced monasticism into Asia Minor and Armenia, gave rules for a strict life, as to dress and food, but who fell into foolish practices contrary to the laws of the Church. They then go on to ascribe to him in detail the very same ultra-rigorist and hyper-ascetic views which were censured by the Synod of Gangra, and their testimony has the more weight as both of them were only two generations younger than Eustathius, and he was one of those renowned personages who are spoken of long after their death.

This distinct statement of Socrates and Sozomen is further

[1] C. 16, Dist. xxx., and c. 5, Dist. xli.

[2] Socrat. *Hist. Eccl.* ii. 43; Sozom. iii. 14; cf. *supra*, pp. 226, 273.

confirmed by Basil the Great, who also ascribes to Eustathius of Sebaste a tendency to monasticism, and subsequently quarrelled with him, his former friend, on account of several irregularities.[1] To this must be added that Eustathius was bishop of Sebaste in Armenia, and that it was precisely to the bishops of Armenia that the Synod of Gangra directed its Synodal Letter. Under such circumstances, the statement of Baronius,[2] Du Pin,[3] and others (supported by no single ancient testimony), that another Eustathius, or possibly the monk Eutactus,[4] is here meant, deserves no serious consideration, though Tillemont did not express himself otherwise than in favour of it.[5]

It may be further questioned whether the errors and irregularities which the Council of Gangra rejected, should be attributed to Eustathius of Sebaste himself, or rather to his pupils, and the latter opinion found many supporters in the time of Sozomen.[6] Among later writers, the Benedictines especially pronounced in favour of it.[7] But the Synod of Gangra in its Synodal Letter not only speaks of the followers of Eustathius (*τῶν κατ' Εὐστάθιον*), but especially of Eustathius himself (*ὑπ' αὐτοῦ*).[8]

In accordance with the decisions of Gangra, Eustathius is said to have laid aside his peculiarities, and again dressed himself like other ecclesiastics (not as a monk); but Sozomen describes this as a mere unwarranted report.

It now remains to decide the date of the Synod of Gangra. Socrates places it after the Synod of Constantinople of 360;[9] but Sozomen, though certainly in a very vague and loose manner, places it before the Antiochian Synod of 341.[10] The

[1] Basilii M. Epist. 223, n. 3; 226, 251.

[2] Baronii *Annal.* t. iii. ad ann. 361, n. 53.

[3] *Nouvelle Bibliothèque*, etc., t. ii. p. 339, ed. Paris 1693.

[4] This heretic is mentioned by Epiphan. *Hær.* 40, i.

[5] *Mémoires*, etc., t. ix. p. 296, note 28, *sur S. Basile*. This question is further discussed in the *Vita S. Basilii*, which the Benedictines published before the third volume of their edition of the works of S. Basil, c. v. n. 4 sqq., and in Walch, *Ketzerhistorie*, vol. iii. pp. 542 sqq.

[6] Sozom. iii. 14, p. 520, ed. Mog.

[7] In their *Vita S. Basilii*.

[8] See above, p. 326.

[9] Socrat. ii. 43.

[10] Sozom. iv. 24. Cf. the notes of Valesius on Socrat. ii. 43, and on Sozom. iv. 24.

fact that in many old collections of canons, especially that of Dionysius, the canons of Gangra precede those of Antioch, agrees with this latter view, and not a few scholars have therefore placed the Synod of Gangra between those of Nicæa and Antioch, *i.e.* between 325 and 341 ;[1] besides which, the Synod of Gangra mentions Eustathius without the title of bishop, which probably it would not have omitted if he had already at that time been raised to the episcopate.

Remi Ceillier has suggested another hypothesis as to the date of the Synod of Gangra, *i.e.* that, as in the letters in which S. Basil the Great complains of Eustathius (*Ep.* 226, 257) he never in any way mentions that the Synod had also declared against him, therefore it is more likely that it was held after those letters were written, in 376.[2] Moreover, S. Basil's youngest brother, S. Peter, became bishop of Sebaste in 380. This would agree perfectly with the opinion that Eustathius was deposed from the See of Sebaste by the Synod of Gangra shortly before the year 380, and Peter appointed as his successor.[3]

Lastly, the Ballerini are of opinion that this Synod took place between 362 and 370 A.D., and for this reason, that Bishop Eusebius, who is first named in the heading of the Synodal Letter, and was plainly the president of the Synod, was probably no other than the Archbishop Eusebius of Cæsarea in Cappadocia, the predecessor of S. Basil, to whom, in accordance with the prerogative of his See, the primacy over the provinces of Pontus, Paphlagonia, and Armenia belonged.[4] This period

[1] For instance, Blondel and Tillemont ; cf. Tillemont, *l.c.* p. 295, note 27, *sur S. Basile.* Baronius also places it in the lifetime of Constantius the Great and Bishop Hosius of Corduba, *Annal.* t. iii. ad ann. 389, n. 45. Concerning the supposed presence of Hosius at the Synod of Gangra, see above, p. 325.

[2] Remi Ceillier, *Histoire Générale des Auteurs Sacrés*, t. iv. p. 735. This argument was first discovered by Valesius in his notes on Socrat. ii. 43. Notwithstanding which, he has most inconsistently declared Sozomen right regarding the date of this Synod.

[3] That Peter was not appointed bishop before 380 is admirably shown by Tillemont (*l.c.* p. 343, note *sur S. Grégoire de Nysse*), and it is equally certain that he was present as bishop at the second General Council in 381. But that he was the immediate successor of Eustathius is a mere conjecture, and is stated by none of the ancient Fathers.

[4] In their edition of the works of S. Leo I. t. iii. p. xxiv.

between 362 and 370 would also agree with the statement of Socrates, that the Synod of Gangra came later than that of Constantinople in 360; and the *Libellus Synodicus* also, in stating that Dius was the president of the Synod of Gangra, probably indicates this Eusebius.[1] But this hypothesis also is based upon the unproved assumption that the Eusebius of the Synodal Letter was the Archbishop Eusebius of Cæsarea; and after all has been said, we can arrive at no certain conclusion as to the date of the Synod of Gangra.

[1] Cf. above, p. 326.

BOOK VII.

THE SECOND GENERAL COUNCIL AT CONSTANTINOPLE IN 381.

Sec. 95. *Convocation and Opening of the Council; its Members and Presidents.*

SINCE the death of the Emperor Constantius, Arianism in the West had more and more declined; but in the Eastern Empire, especially under the Emperor Valens, it had constantly increased in strength, and at the same time in intolerance. The capital, Constantinople, formed a true picture of the state of the Eastern Church. Here the Episcopal See had been for forty years in the hands of the Arians, and this sect was so powerful and predominant that the Catholics no longer possessed a single one of the many churches in the city. Their attempt, in 370, again to choose another bishop for themselves failed, for the Emperor Valens drove away their nominee, Evagrius (in 370), by force of arms. Thus the number of the orthodox in the capital, being without bishop, churches, or services, almost daily became smaller. At the death of the Emperor Valens in 378, the East also came under the rule of Gratian, whose edict of toleration, in 379, rendered it possible again to give the Catholics of Constantinople a representative of their own (not a bishop, but a diocesan administrator) in the person of one of the greatest Fathers of the Church of that time, S. Gregory of Nazianzus. In order to be able to hold divine service for the Catholics of the city who had remained faithful, Gregory converted the house of one of his relatives into a church, to which he gave the significant name of Anastasia, for it was in truth a resurrection of the orthodox community of Constantinople, and the

poor chapel grew afterwards into the famous church of the Resurrection. But the more that Gregory, by his splendid sermons and his great activity, established and spread the Nicene faith, so much the more did he become the object of the hatred of the heretics, who not only overwhelmed him with scorn and abuse, chiefly on account of his poverty, and what they considered the rusticity of his manners, but made repeated attempts on his life, and once even broke by force into the chapel of the Resurrection at midnight when he was holding service. The altar was desecrated, the sacred wine mingled with blood, and all kinds of barbarities committed. Gregory's false friend, Maximus, occasioned him no less sorrow. He was by birth an Alexandrian, and professed to have been a confessor in a time of persecution; he arrived in Constantinople almost at the same time as Gregory, and there played the part of an ascetic, and (cynic) philosopher. As he also pretended to great zeal for the Nicene faith, Gregory received him into his house and at his table, reposing in him such unbounded confidence that he even pronounced a public panegyric upon him. But after a short time he discovered him to be an intriguer, a hypocrite, and a liar, who, with the help of a party in Constantinople, and of Peter, patriarch of Alexandria, strove to make himself bishop of Constantinople, and did in fact contrive to be secretly consecrated to that office. He was indeed obliged by the people to leave the city; but Gregory, who was deeply grieved and shaken in health by these events, was anxious to resign his office, and only the constant entreaties of his flock, and more especially the exclamation of a citizen,—"With yourself you banish also the Trinity (the orthodox faith concerning the Trinity) from Constantinople,"—induced him to promise to remain until another bishop should be appointed.[1]

About the same time that Gregory was summoned to Constantinople, the Emperor Gratian conferred upon his former general, Theodosius, the dignity of joint Emperor, with the government of the East. From his own inner conviction, as well as from political reasons, Theodosius made it one of his

[1] Cf. my treatise on Gregory of Nazianzus in the *Kirchenlexicon* of Wetzer and Welte, vol. iv. pp. 736 sqq.

chief duties to secure the religious unity of the kingdom upon the basis of the Nicene faith, and immediately upon his accession required of all his subjects the confession of the orthodox faith. When in the autumn of 380 he came to Constantinople, the Arians of that city were obliged to restore to the orthodox all the churches and the whole of the Church property; and their former Bishop Demophilus, whom, as bishop of Berœa in Thrace, we have before repeatedly seen among the Arian leaders,[1] was obliged to leave the place, because, disregarding the Imperial command, he would not consent to the Nicene Creed.[2]

In order to arrange the affairs of the Church once more in the capital, and above all to secure the triumph of the Nicene faith in the East also over Arianism, together with its Pneumatomachian offshoot,[3] Theodosius summoned a large Synod to meet at Constantinople, which assembled in May 381, under the Consuls Eucharius and Evagrius,[4] and subsequently ranked as the second Œcumenical Council. Theodoret remarks that Theodosius only summoned the bishops belonging to his division of the Empire;[5] and this is indeed confirmed by the fact that only Orientals were present.[6] Hence it is probable that Pope Damasus, as belonging to Gratian's division of the Empire, was never invited to the Synod,—as he was neither present in person nor represented,[7]—and that Theodosius only intended to have a General Council for the East, and not

[1] Cf. above, p. 271.

[2] Socrat. *Hist. Eccl.* lib. v. 7; Sozom. *Hist. Eccl.* lib. vii. 5.

[3] Socrat. v. 8; Gregor. Naz. *Carmen de Vita*, vers. 1509 sqq., t. ii. pp. 753 sq., ed. Paris 1842. The Latin metrical version of this poem (by Billius) gives, in v. 1513, the principal reason for the calling of this Synod in the words: *firmet ut thronum mihi, i.e.* to establish Gregory in the See of Constantinople. But the Greek text has: ὡς πήξοντες εὐσεβῆ λόγον = "ut stabiliant pietatis doctrinam."

[4] Socrat. v. 8. The Imperial letter of convocation is no longer extant.

[5] Theodoret, *Hist. Eccl.* v. 6.

[6] The Latin signature of Agrius Immontinensis of Spain does indeed appear among the names of those present; but Hardouin, in his marginal note (*Collectio Concil.* t. i. p. 818), has remarked upon the spuriousness of this reading.

[7] In the oldest Latin translations of the canons of this Synod among the signatures there indeed appear the names of three Roman legates, Paschasinus, Lucentius, and Boniface (Mansi, *Collect. Concil.* t. vi. p. 1176); but this is a mistake, for these legates were only present seventy years later at the fourth General Council.

an Œcumenical Council. Baronius and others have tried to prove that Pope Damasus really summoned this Synod, since its members had themselves said: "they had assembled in Constantinople in accordance with a letter from Damasus to the Emperor Theodosius the Great." We do indeed find this in a Synodal Letter in Theodoret,[1] which, however, does not emanate from this, but from a second Constantinopolitan Synod of 382, as have been already observed,[2] and as we shall see further on. Baronius refers also to a statement of the sixth General Council, that "when Macedonius spread the heresy concerning the Holy Ghost, Theodosius and (Pope) Damasus at once withstood him, and Gregory of Nazianzus, and Nectarius his successor, then assembled a Synod in this royal city."[3] This passage is, however, too vague and uncertain to permit the conclusion that this Synod was organized by Pope Damasus; nay, the words, "Gregory and Nectarius assembled a Synod," contain an historical error, as the Synod was called neither by the one nor the other, certainly not by both together. It is only true that both presided at Constantinople, and even this not from the beginning; and possibly the sixth General Council means no more than this.

As at first there seemed hope that the Macedonians or Pneumatomachians might be again won over to the Church, the Emperor invited their bishops also to the Synod, and thirty-six appeared, the greater number from the countries on the Hellespont. Of these the most famous were Eleusius of Cyzicus, often before mentioned, and Marcianus of Lampsacus. One hundred and fifty bishops of the orthodox side were present, those from Egypt and Macedonia arriving somewhat later than the rest.[4] Of these the most famous were Bishop

[1] Theodoret, *l.c.* v. 9.

[2] See vol. i. pp. 9 sq.

[3] Baronius, *Annales Eccl.* ad ann. 381, n. 19, 20; cf. Hardouin, t. iii. p. 1419.

[4] Gregor. Nazianz. *Carmen de Vita*, v. 1509, p. 753, and vv. 1798 sqq. p. 769, in the second volume of the Parisian edition of 1842. In the latter place (vv. 1798 sqq.) Gregory expressly says, that when, after the death of Meletius of Antioch, divisions arose among the members of the Synod (see below, p. 346), the Egyptians and Macedonians were quickly summoned to make peace. This alone disposes of various conjectures which were raised as to the later arrival of the Egyptians. Cf. Baronius, ad ann. 381, n. 19, 53; Papebroch, in note 43, *sur Grégoire Naz.* Moreover, it is very possible that the Egyptians and Macedonians were invited to the Synod as early as the other bishops, but that, as they

Meletius of Antioch, who had arrived at Constantinople some time before to appoint S. Gregory of Nazianzus bishop of that city, Timotheus of Alexandria, Cyril of Jerusalem, his nephew Gelasius of Cæsarea in Palestine, Ascholius of Thessalonica, whom the Emperor Theodosius had shortly before baptized when he was ill,[1] Helladius of Cæsarea, the successor of S. Basil the Great, Gregory of Nazianzus, Gregory of Nyssa, S. Basil's youngest brother, S. Peter of Sebaste, Amphilochius of Iconium, Optimus of Antioch in Pisidia, Diodorus of Tarsus in Cilicia, S. Pelagius of Laodicea, S. Eulogius of Edessa, Acacius of Berœa in Syria, Isidore of Cyrus in Syria, and others.[2]

Meletius of Antioch at first presided, and after his death Gregory of Nazianzus,[3] and after he had resigned, his successor Nectarius, Patriarch of Constantinople.[4] Sozomen[5] differs from this, in stating that Timotheus of Alexandria held the presidency with Meletius and Cyril of Jerusalem; and this would have been correct, as the Patriarch of Alexandria ranked before the Patriarch of Antioch. But Timotheus was not present at the commencement of the Synod, and therefore the right of Meletius to rank first was undisputed.[6] If, however, even after the arrival of the Patriarch of Alexandria, he did not preside, but the Bishop of Constantinople, this took place by the

did not immediately appear, after the death of Meletius they were summoned again.

[1] Socrat. v. 6.

[2] Theodor. *Hist. Eccl.* lib. v. 8; Socrat. v. 8; Sozom. vii. 7. A list of the bishops present at Constantinople is given us by Dionysius Exiguus, and in the *Prisca*, a still older Latin collection of canons. The latter contains 147 names, and is printed in Hard. t. i. p. 814, in Mansi, t. iii. p. 568, and in the Ballerini edition of the works of S. Leo, t. iii. p. 556. Among other names, that of S.s., Peter of Sebaste, the brother of S. Basil, is missing, while Theodoret expressly mentions him. But it contains the signatures of Meletius of Antioch and Nectarius of Constantinople, who, however, were not bishops at the same time, as the latter was only chosen some time after the death of the former. Concerning the lists of signatures, cf. Tillemont, *Mem.* t. ix. p. 332, n. 42, *sur St. Grégoire Naz.*

[3] Gregor. Naz. *Carmen de Vita*, vv. 1514 sqq., *l.c.* p. 755; Gregor. Nyss. *De Melet.* pp. 587, 589.

[4] Cf. the above-mentioned list of bishops present, in Mansi, t. iii. p. 568, and Hard. t. i. p. 813, where Nectarius appears as president. Hergenröther (*Photius*, vol. i. p. 36, note 69) doubts his presiding.

[5] Sozom. vii. 7.

[6] Elias, Vicar of Jerusalem, was therefore certainly wrong in maintaining, at the sixth session of the eighth Œcumenical Council, that Timothy of Alexandria presided from the first. Cf. Mansi, t. xvi. p. 85; Hard. t. v. p. 827.

decision of the Synod itself, as in its third canon it ranked the Bishop of new Rome immediately after the Bishop of old Rome.[1]

The Emperor was present at the opening of the Synod, and loaded Meletius with especial honours. While still a general of Gratian's, he had dreamed that Meletius of Antioch presented him with the Imperial throne and mantle,[2] and not long afterwards he really became Emperor. Now, when the bishops assembled for the Synod visited the Emperor, he gave express orders that Meletius should not be presented to him, as he wished to see whether he should recognise the man whom he had seen in his dream. He knew him at once, and approaching him with great reverence, he kissed his eyes, his breast, his head, and his hands, and related to him the wonderful vision. He also treated the other bishops with all respect, and prayed them to give their fatherly consideration to the subjects brought before them.[3]

Sec. 96. *First Act of the Council.*

The first necessary act was to provide a bishop for the Church of Constantinople. The ordination of the Cynic Maximus[4] was therefore investigated, and as it proved to be uncanonical and irregular, the Council declared that Maximus had never been a bishop, and that consequently all the ordinations performed by him were invalid. This was also expressly declared in the fourth canon. They, however, did not deem it necessary or fitting to pronounce any sentence against the deceased patriarch, Peter of Alexandria, who had appointed Maximus.[5] Gregory of Nazianzus was forthwith besieged by the Emperor and many bishops of the Council with earnest entreaties that he would now accept the See of Constantinople; but it was only after long hesitation and many refusals, and

[1] Van Espen (*Commentarius in Canones*, etc., p. 181, ed. Colon. 1755), differing from all others, maintains that Meletius only presided at the earlier Synod which had to fill the See of Constantinople; but that the General Council only began with the arrival of the Egyptians, and that then Timotheus of Alexandria presided, but Nectarius only at the later Synod of 382.

[2] Theodoret, *l.c.* v. 6. [3] Theodoret, *l.c.* v. 7. [4] See above, p. 341.

[5] It was not Timotheus of Alexandria, as Theodoret (v. 8) wrongly states, but his predecessor, Peter, who had raised Maximus to the See of Constantinople. Cf. the notes of Valesius on Theodoret, v. 8.

in the view of being able, as bishop of the capital, the more easily to do away with the Meletian schism and the consequent breach between the East and the West,—always one of his greatest desires,[1]—that he was persuaded to yield. Gregory was now solemnly installed in the See of Constantinople by Meletius and the other members of the Synod, as it was thought expedient for the greater benefit of the Church to make an exception to the rule that no bishop (Gregory had been Bishop of Sasime) should be transferred to another See.[2]

Soon afterwards S. Meletius died, shortly after the beginning of the Synod, and exceptional honours were showered upon him even in his death; for instance, Gregory of Nyssa, in his funeral oration (of which many were held), spoke of him as a saint.[3] It had already been agreed during the lifetime of Meletius, that when either of the two orthodox Bishops of Antioch, Meletius or Paul, died, no new bishop should be elected in his place, but the survivor should be universally acknowledged. Notwithstanding this, some members of the Council demanded that a successor to Meletius should be elected, while Gregory of Nazianzus, who was now president, did all in his power to procure the carrying out of the agreement.[4] The younger bishops of the Synod, however, violently opposed him, being of opinion that the recognition of Paul would be too great a concession to the Latins; they succeeded in carrying away with them older bishops also, and thus it came to pass that Flavian, hitherto a priest, was chosen as the successor of Meletius by the bishops of the dioceses (= patriarchates) of Antioch and Asia, and was confirmed by the Synod, whereby the Meletian schism was perpetuated.[5]

This grieved Gregory so much that he would no longer be

[1] Cf. my treatise concerning the Meletian Schism in the *Kirchenlexicon* of Wetzer and Welte, vol. vii. pp. 42 sqq.; and Gregor. Naz. *Carmen de Vita Suâ*, v. 1535, p. 755, ed. Par. 1842. The Easterns thought Meletius, the Latins the Eustathian Paul, the rightful bishop of Antioch.

[2] Cf. canon 15 of Nicæa, and Theodoret, *l.c.* v. 8; Gregor. Naz. *Carmen de Vita Suâ*, v. 1525; Gregor. Nyss. *De Melet.* p. 592.

[3] Gregor. Nyss. *De Melet. l.c.*; Theodoret, *l.c.* v. 8.

[4] Gregor. Naz. *Carmen de Vita Suâ*, v. 1572 sqq., pp. 757 sq.

[5] Cf. the Letter of the Synod of 382, in Theodoret, *l.c.* v. 9, p. 211, ed. Mog., and Gregor. Naz. *Carmen de Vita Suâ*, pp. 763 sqq.

present at the meetings of the Council, and quitted the episcopal residence, and made his intention of resigning more and more plain every day. Many of the most influential men prayed and conjured him to remain; but as about the same time the Egyptian bishops, who had then just arrived, declared themselves, professedly on canonical grounds, dissatisfied with the promotion of Gregory to the See of Constantinople,[1] he one day appeared before the Synod, and announced his resignation of the See, as for the sake of peace he would gladly, like Jonas, be cast out. The majority of the Synod accepted his resignation, many of the bishops even gladly,[2]—the Emperor, on the contrary, most unwillingly; and on the proposal of the bishops, Nectarius,[3] formerly prætor of Constantinople, a very worthy and illustrious man, who, however, had never been baptized, was now raised by the Emperor, with the consent of the people, to the See of Constantinople.[4]

According to Socrates,[5] the negotiations with the Macedonians had begun earlier than this, before the election of Nectarius, and the Emperor did all in his power to win them over to the unity of the Church. He reminded them that they themselves had before, in 366, of their own accord offered to

[1] According to Theodoret, v. 8, the Egyptian party had even entirely separated from communion with Gregory. The list of the bishops' signatures indeed only mentions two Egyptian bishops, Timotheus of Alexandria and Dorotheus of Oryrynchus; but in the first place, that list is not complete; and secondly, even these few Egyptian bishops may have found adherents among the other members of the Synod. [The Egyptian bishops based their objection on the sixteenth Nicene canon against the removal of any cleric from one See to another (*supr.* vol. i. p. 423), and accused Gregory of having held successively the three Sees of Sasime, Nazianzus, and Constantinople; the fact being that he had passed from Nazianzus, the place of his original ordination, to Constantinople. Their real ground of offence was apparently the recognition of Gregory, before their arrival, in preference to Maximus, who was their countryman.]

[2] They were probably displeased with him on account of his zeal in the Antiochian matter, where he blamed them.

[3] Concerning Nectarius, cf. Assemani, *Biblioth. Jur. Orient.* t. iii. p. 14; Hergenröther, *Photius*, vol. i. pp. 36 sqq.

[4] Theodoret, v. 8; Socrat. v. 8; Sozom. vii. 7, 8; Gregor. Naz. *Carmen de Vita*, pp. 771 sqq., where are contained many severe judgments of Gregory's on this Synod. The very full and also magnificent farewell speech which Gregory addressed to the Synod is to be found as *Orat. XLII.* (formerly *XXXII.*) in the first volume of *Opp. S. Gregorii*, ed. Bened., Paris 1778, pp. 748 sqq.; also in Mansi, t. iii. pp. 582 sqq.

[5] Socrat. v. 8.

unite their faith with that of the Western Church, and therefore had sent Eustathius of Sebaste and other deputies to Rome, that they had also accepted the Homoüsian confession of faith, and thereupon entered into communion with Pope Liberius and the Sicilian bishops.[1] He preached, however, to deaf ears; for, as Socrates expresses it, the Macedonians "preferred to acknowledge the Arian rather than to agree to the Homoüsian doctrine." Socrates forgets to mention that with the Macedonians it was not now a question merely of the ὁμοούσιος of the Son, but also of the ὁμοούσιος of the Holy Ghost.[2]

Sec. 97. *The Tome and the Creed.*

Socrates further relates that the Macedonian bishops had then left Constantinople, and everywhere addressed letters to their adherents, warning them against the acceptance of the Nicene faith; but that the one hundred and fifty orthodox bishops who remained at Constantinople had confirmed the Nicene faith. Sozomen and Theodoret express themselves as briefly.[3] The Synod of Constantinople of the following year, 382, however, relates that the Council had put forth a Tome of its own, *i.e.* a special and particular treatise on the orthodox doctrine of the Trinity, and it may be conjectured that the Constantinopolitan Creed, which is still received,[4] was no more than a part of this Tome, its quintessence, as also that the present first canon containing the anathema against heretics belonged to the Tome.[5] From the following statement of the fourth General Council at Chalcedon, in an address to the Emperor,—"the bishops who at Constantinople detected the taint of Apollinarianism, communicated to the Westerns their decision in the matter,"—Tillemont, not without reason, concludes that this Tome also treated of the heresy of Apollinaris, and (at least in one copy) was addressed to the Latin bishops.[6]

[1] Cf. above, p. 285. [2] Socrat. v. 8.

[3] Sozomen, vii. 7, 9; Theodoret, v. 8.

[4] [*i.e.* The so-called Nicene Creed, in its present form, with the additional clauses.]

[5] Tillemont, *Mémoires*, etc., t. ix. p. 221, art. 78, in the treatise *S. Grégoire de Naz.*; Remi Ceillier, *Histoire des Auteurs Sacrés*, t. v. p. 646.

[6] Hard. *l.c.* t. ii. p. 647; Mansi, t. vii. p. 463.

Nicephorus Callisti maintains that Gregory of Nyssa was the author of the creed of this Council;[1] but Marcus Eugenicus, at the Council of Florence in 1439, maintained that it was the work of Gregory of Nazianzus.[2] Both statements are, however, so uncertain, and so little to be relied upon, that Tillemont, as it seems to me rightly, thought himself justified in propounding quite another hypothesis. He starts from the fact that Epiphanius, in his *Ancoratus*, adopted a similar creed, remarking that it was everywhere in use, and must be learned by heart by all catechumens.[3] But his *Ancoratus* had already been written as early as 374, as is expressly stated in several passages;[4] consequently the creed in question must have been in use in the Church at least ten years before the second General Council, and it is probable that this Council did not actually draw up a new creed, but only copied, and in some places altered, one already in use, shortening it, as a comparison of the text in Epiphanius with the actual creed of this Synod proves.[5] It runs thus:

Πιστεύομεν εἰς ἕνα θεὸν πατέρα παντοκράτορα, ποιητὴν οὐρανοῦ καὶ γῆς, ὁρατῶν τε πάντων καὶ ἀοράτων. Καὶ εἰς ἕνα κύριον Ἰησοῦν Χριστὸν τὸν υἱὸν τοῦ θεοῦ τὸν μονογενῆ, τὸν ἐκ τοῦ πατρὸς γεννηθέντα πρὸ πάντων τῶν αἰώνων, φῶς ἐκ φωτὸς, θεὸν ἀληθινὸν ἐκ θεοῦ ἀληθινοῦ, γεννηθέντα, οὐ ποιηθέντα, ὁμοούσιον τῷ πατρὶ, δι' οὗ τὰ πάντα ἐγένετο· τὸν δι' ἡμᾶς τοὺς ἀνθρώπους καὶ διὰ τὴν ἡμετεραν σωτηρίαν κατελθόντα ἐκ τῶν οὐρανῶν, καὶ

[1] Niceph. Callisti, *Hist. Eccl.* lib. xii. c. 13.

[2] Concil. Florent. Sess. xxiii., in Hardouin, t. ix. p. 294.

[3] Epiph. *Ancorat.* c. 121.

[4] C. 12, *Epiph. Opp.* t. ii.; *Ancorat.* c. 60 and 121, and the notes of Petavius on c. 60, p. 372 of the *Animadversiones*, t. ii., Opp. S. Epiph. ed. Col. 1682.

[5] Tillemont, *Mémoires*, t. ix. p. 222, art. 78, in the treatise *S. Grégoire Naz.* Remi Ceillier, who (*l.c.* p. 646) accepted this hypothesis, has, by a defect of memory, destroyed the whole argument—viz. by the statement that Epiphanius had died before the holding of the second General Council. We may add, however, that the similarity between the text of Epiphanius and that of the Synod is not so great as Epiphanius supposes, and especially that there is a marked difference in the passage relating to the Holy Ghost, which is the chief point concerned, as given by Epiphanius. It runs thus: *Καὶ εἰς τὸ ἅγιον πνεῦμα πιστεύομεν, τὸ λαλῆσαν ἐν νόμῳ, καὶ κηρύξαν ἐν τοῖς προφήταις καὶ καταβὰν εἰς τὸν Ἰορδάνην, λαλοῦν ἐν ἀποστόλοις, οἰκοῦν ἐν ἁγίοις· οὕτως δὲ πιστεύομεν ἐν αὐτῷ, ὅτι ἐστὶ πνεῦμα ἅγιον, πνεῦμα θεοῦ, πνεῦμα τέλειον, πνεῦμα παράκλητον, ἄκτιστον, ἐκ τοῦ πατρὸς ἐκπορευόμενον, καὶ ἐκ τοῦ υἱοῦ λαμβανόμενον καὶ πιστεύομενον,*

σαρκωθέντα ἐκ πνεύματος ἁγίου καὶ Μαρίας τῆς παρθένου, καὶ ἐνανθρωπήσαντα· σταυρωθέντα τε ὑπὲρ ἡμῶν ἐπὶ Ποντίου Πιλάτου, καὶ παθόντα, καὶ ταφέντα, καὶ ἀναστάντα τῇ τριτῃ ἡμέρᾳ κατὰ τὰς γραφάς· καὶ ἀνελθόντα εἰς τοὺς οὐρανούς, καὶ καθεζόμενον ἐκ δεξιῶν τοῦ πατρὸς, καὶ πάλιν ἐρχόμενον μετὰ δόξης κρῖναι ζῶντας καὶ νεκρούς· οὗ τῆς βασιλείας οὐκ ἔσται τέλος. Καὶ εἰς τὸ πνεῦμα τὸ ἅγιον, τὸ κύριον, τὸ ζωοποιὸν, τὸ ἐκ τοῦ πατρὸς ἐκπορευόμενον, τὸ σὺν πατρὶ καὶ υἱῷ συμπροσκυνούμενον καὶ συνδοξαζόμενον, τὸ λαλῆσαν διὰ τῶν προφητῶν. Εἰς μίαν ἁγίαν καθολικὴν καὶ ἀποστολικὴν ἐκκλησίαν· ὁμολογοῦμεν ἓν βάπτισμα εἰς ἄφεσιν ἁμαρτιῶν· προσδοκῶμεν ἀνάστασιν νεκρῶν καὶ ζωὴν τοῦ μέλλοντος αἰῶνος. Ἀμήν.

"We believe in one God, the Father Almighty, Creator of heaven and earth, and of all things visible and invisible. And in one Lord Jesus Christ, the only begotten Son of God, begotten of the Father before all times (ages), Light from Light, very God from very God, begotten, not created, of the same substance with the Father, by whom all things were made; who for us men, and for our salvation, came down from heaven, and was incarnate by the Holy Ghost of the Virgin Mary, and was made Man; who was crucified for us under Pontius Pilate, suffered and was buried, and the third day He rose again according to the Scriptures, and ascended into heaven, and sat down at the right hand of the Father; and He shall come again with glory to judge both the living and the dead;[1] whose kingdom shall have no end.[2] And we believe in the Holy Ghost, the Lord and Life-giver, who proceedeth from the Father; who with the Father and the Son together is worshipped and glorified; who spake by the Prophets.[3] And in one Holy Catholic and Apostolic Church. We acknowledge one Baptism for the remission of sins. We look for a resurrection of the dead, and the life of the world to come. Amen."

It is somewhat remarkable, and probably only to be accounted for by the peculiar relation of Gregory of Nazianzus

[1] So far, this creed is nearly the same as the Nicene.

[2] This addition, directed against Marcellus of Ancyra, is already contained (not indeed in words, but in sense) in the Antiochian Creed of 341; cf. above, pp. 76, 79, 80.

[3] The more explicit doctrine concerning the Holy Ghost was clearly added in contradiction to the Macedonian or Pneumatomachian errors.

to this Synod, that this Father of the Church, in writing to Cledonius shortly after the close of the Synod of Constantinople concerning the rule of faith, only mentioned the Nicene Creed and not that of Constantinople, although he admitted the former to be incomplete with regard to the doctrine of the Holy Ghost.[1] Neither was this creed mentioned at the third General Council at Ephesus;[2] but the fourth General Council at Chalcedon had it twice recited, and twice received it into its acts, thus solemnly approving it.[3] It was also repeated and accepted at the sixth General Council in 680.[4] It is printed among the acts of the first Council of Constantinople in all collections of Councils.[5] There are Latin translations of it in the collection of Dionysius Exiguus and Isidore.[6]

Sec. 98. *The Canons of the Second General Council.*

Besides the decree of faith, the Synod of Constantinople also drew up a few canons, to which in the old Greek codices the following heading is prefixed: "Canons of the one hundred and fifty holy Fathers who assembled at Constantinople under the Consulate of those illustrious men, Flavius Eucherius and Flavius Evagrius, on the 7th of the Ides of July"—that is, the 9th of July. From this we may conclude that this Synod, which, according to Socrates,[7] begun in May 381, lasted until July of that year.[8]

The number of canons drawn up by the Synod is doubtful. The old Greek codices and the Greek commentators of the

[1] *Epist.* 102 (formerly *Orat. LII.*), t. ii. p. 93 of the new edition, Par. 1842.

[2] At the Synod of Florence, Bessarion, on the strength of a letter of Cyril's to Acacius, maintained that the Synod of Ephesus had forbidden any other creed but the one then existing to be used in the churches (Hard. t. ix. p. 110, *Conciliengesch.*, vol. vii. p. 690). By the creed then existing was meant the Nicene-Constantinopolitan; cf. *infr.* sec. 140 *ad fin.*

[3] *Actio* ii. v. in Hard. *Collect. Concil.*, t. ii. pp. 287 and 454; Mansi, t. vi. p. 958, and t. vii. p. 111.

[4] *Actio* xviii. in Hard. t. iii. p. 1398.

[5] In Hardouin, t. i. p. 814; in Mansi, t. iii. p. 566; also Hahn's *Bibliothek der Symbole*, Breslau 1842, p. 111.

[6] In Mansi, t. iii. pp. 567, 574; in Hahn, *Bibliothek der Symbole*, pp. 112 sqq.

[7] Socrat. v. 8.

[8] This also appears from a letter of the Emperor Theodosius of the 30th July 381. See below, p. 369.

Middle Ages, Zonaras and Balsamon, enumerate seven; but the old Latin translations—viz. the *Prisca*,[1] those by Dionysius Exiguus and Isidore,[2] as well as the Codex of Luna[3]—only recognise the four first canons of the Greek text, and the fact that they agree in this point is the more important as they are wholly independent of each other, and divide and arrange those canons of Constantinople which they do acknowledge quite differently.

Because, however, in the *Prisca* the canons of Constantinople are only placed after those of the fourth General Council, the Ballerini brothers conclude that they were not contained at all in the oldest Greek collections of canons, and were inserted after the Council of Chalcedon.[4] But it was at this very Council of Chalcedon that the three first canons of Constantinople were read out word for word.[5] As, however, they were not separately numbered, but were there read under the general title of *Synodicon Synodi Secundæ*, Fuchs concluded that they were not originally in the form in which we now possess them, but, without being divided into numbers, formed a larger and unbroken decree, the contents of which were divided by later copyists and translators into several different canons.[6] And hence the very different divisions of these canons in the *Prisca*, Dionysius, and Isidore may be explained.

The fact, however, that the old Latin translations all agree in only giving the four first canons of the Greek text, seems to show that the oldest Greek manuscripts, from which those translations were made, did not contain the fifth, sixth, and seventh, and that these last did not properly belong to this Synod, but were later additions. To this must be added that the old Greek Church historians, in speaking of the affairs of the second General Council, only mention those points which are contained in the first four canons, and say nothing of what, according to the fifth, sixth, and seventh canons, had also been

[1] Mansi, t. vi. p. 1174, and in the Ballerini editions of the works of S. Leo, t. iii. p. 553.

[2] Mansi, t. iii. pp. 566, 571; Hard. t. i. pp. 809, 810.

[3] Mansi, t. iii. p. 574.

[4] Baller. ed. *Opp. S. Leonis M.*, t. iii. p. 12.

[5] Mansi, t. vii. p. 445; Hard. t. ii. p. 638.

[6] Fuchs, *Bibliothek der Kirchenvers.*, vol. ii. p. 411.

decided at Constantinople.[1] At the very least, the seventh canon cannot have emanated from this Council, since in the sixth century John Scholasticus did not receive it into his collection, although he adopted the fifth and sixth. It is also missing in many other collections; and in treating specially of this canon further on, we shall endeavour to show the time and manner of its origin. But the fifth and sixth canons probably belong to the Synod of Constantinople of the following year, as Beveridge, the Ballerini, and others conjectured.[2] The Greek scholiasts, Zonaras and Balsamon,[3] and later on, Tillemont,[4] Beveridge,[5] Van Espen[6] and Herbst,[7] have given more or less detailed commentaries on all these canons.

The canons are as follows:—

Can. 1.

Μὴ ἀθετεῖσθαι τὴν πίστιν τῶν πατέρων τῶν τριακοσίων δεκαοκτὼ, τῶν ἐν Νικαίᾳ τῆς Βιθυνίας συνελθόντων, ἀλλὰ μένειν ἐκείνην κυρίαν, καὶ ἀναθεματισθῆναι πᾶσαν αἵρεσιν καὶ ἰδικῶς τὴν τῶν Εὐνομιανῶν, εἴτουν Ἀνομοίων καὶ τὴν τῶν Ἀρειανῶν, εἴτουν Εὐδοξιανῶν· καὶ τὴν τῶν Ἡμιαρειανῶν, ἤγουν Πνευματομάχων· καὶ τὴν τῶν Σαβελλιανῶν, Μαρκελλιανῶν, καὶ τὴν τῶν Φωτεινιανῶν, καὶ τὴν τῶν Ἀπολλιναριστῶν.

"The confession of faith of the three hundred and eighteen Fathers, who were assembled at Nicæa in Bithynia, shall not be abolished, but shall remain, and every heresy shall be anathematized, especially that of the Eunomians or Anomœans, the Arians or Eudoxians, the Semi-Arians or Pneumatomachians, the Sabellians, Marcellians, Photinians, and Apollinarians."

We have already remarked[8] that what is here introduced

[1] Socrat. v. 8; Sozom. vii. 9; Theodoret, v. 8.

[2] Bevereg. *Synodicon seu Pandectæ Canonum*, etc., t. ii.; *Annot.* p. 98; Baller. ed. *Opp. S. Leonis M.*, t. iii. p. 10.

[3] See Bevereg. *Pandect.* t. i. pp. 85, sqq.

[4] *Mémoires*, etc., t. ix. art. 76, 77, in the treatise: *S. Grégoire de Naz.*

[5] Bevereg. *Pandect.* t. ii.; *Annotat.* pp. 89, sqq.

[6] *Commentarius in Canones*, etc., pp. 186, sqq., Colon. 1755.

[7] *Tübing. Quartalschrift* of the year 1826, pp. 389, sqq.

[8] See above, p. 348.

as the first canon most likely belonged to the Tome of the Council, especially as in ancient times the term "canons" was understood to mean rules of discipline, and not anathemas. That the Council of Constantinople also rejected the Apollinarian heresy, Socrates and Sozomen do not indeed expressly say; but Rufinus[1] and the fourth General Council assert it, and it is confirmed by this canon. Theodoret also says that the Council of Constantinople deposed the false Bishop Maximus of Constantinople, "because he took part in the folly of the Apollinarians."[2] Theodoret, however, is probably mistaken with regard to Maximus; and the Synod itself, in its fourth canon, in which it declares his deposition, does not give the smallest indication of his having been an Apollinarian.

By the Eudoxians, whom this canon identifies with the Arians, is meant that faction who, in contradistinction to the strict Arians or Anomœans on one side, and the Semi-Arians on the other side, followed the leadership of the Court Bishop Eudoxius (Bishop of Constantinople under the Emperor Valens), and without being entirely Anomœan, yet very decidedly inclined to the left of the Arian party[3]—probably claiming to represent the old and original Arianism. But this canon makes the Semi-Arians identical with the Pneumatomachians, and so far rightly, that the latter sprang from the Semi-Arian party, and applied the Arian principle to their doctrine of the Holy Ghost. Lastly, by the Marcellians are meant those pupils of Marcellus of Ancyra who remained in the errors formerly propounded by him, while afterwards others, and indeed he himself, once more acknowledged the truth.[4]

Can. 2.

Τοὺς ὑπὲρ διοίκησιν ἐπισκόπους ταῖς ὑπερορίοις ἐκκλησίαις μὴ ἐπιέναι, μηδὲ συγχέειν τὰς ἐκκλησίας· ἀλλὰ κατὰ τοὺς κανόνας τὸν μὲν Ἀλεξανδρείας ἐπίσκοπον τὰ ἐν Αἰγύπτῳ μόνον οἰκονομεῖν, τοὺς δὲ τῆς ἀνατολῆς ἐπισκόπους τὴν ἀνατολὴν

[1] Rufin. *Hist. Eccl.* ii. (xi.) 20; Hard. t. ii. p. 647; cf. above, p. 348.
[2] Theodoret, v. 8.
[3] Cf. above, pp. 269, 280, 283.
[4] See above, pp. 29, sqq., 53, 104, sq.

μόνην διοικεῖν, φυλαττομένων τῶν ἐν τοῖς κανόσι τοῖς κατὰ Νικαίαν πρεσβείων τῇ Ἀντιοχέων ἐκκλησίᾳ, καὶ τοὺς τῆς Ἀσιανῆς διοικήσεως ἐπισκόπους τὰ κατὰ τὴν Ἀσίαν μόνην οἰκονομεῖν, καὶ τοὺς τῆς Ποντικῆς τὰ τῆς Ποντικῆς μόνον, καὶ τοὺς τῆς Θρᾴκης τὰ τῆς Θρᾳκικῆς μόνον οἰκονομεῖν. Ἀκλήτους δὲ ἐπισκόπους ὑπὲρ διοίκησιν μὴ ἐπιβαίνειν ἐπὶ χειροτονίαις ἤ τισιν ἄλλαις οἰκονομίαις ἐκκλησιαστικαῖς. Φυλαττομένου δὲ τοῦ προγεγραμμένου περὶ τῶν διοικήσεων κανόνος, εὔδηλον ὡς τὰ καθ' ἑκάστην ἐπαρχίαν ἡ τῆς ἐπαρχίας σύνοδος διοικήσει, κατὰ τὰ ἐν Νικαίᾳ ὡρισμένα. Τὰς δὲ ἐν τοῖς βαρβαρικοῖς ἔθνεσι τοῦ θεοῦ ἐκκλησίας οἰκονομεῖσθαι χρὴ κατὰ τὴν κρατήσασαν συνήθειαν παρὰ τῶν πατέρων.

"The bishops of another diocese[1] shall not pass over to foreign churches, and introduce confusion among them; but, in accordance with the canons, the bishop of Alexandria shall govern the affairs of Egypt only, and the Eastern bishops shall have charge of the affairs of the East only, while the rights of the Antiochian Church, as declared in the sixth canon of Nicæa, shall be preserved, and the bishops of the dioceses of Asia (Ephesus) shall only have jurisdiction over Asia, those of the dioceses of Pontus over Pontus, and those of the dioceses of Thrace over Thrace. Unless summoned, the bishops shall not go beyond their own dioceses for the purpose of ordination, or any other ecclesiastical function. While, however, the existing canon with regard to the dioceses is observed, it is clear that in each eparchy (province) the Provincial Synod must rule in accordance with the decisions of Nicæa. But the Churches of God among the barbarous nations shall be governed according to the custom prevailing from the times of the Fathers."

It is highly probable that the manner in which the deceased patriarch Peter of Alexandria, who had had the Cynic Maximus consecrated bishop of Constantinople, outstepped his power, was the immediate occasion of this canon,[2] which is

[1] Others translate the words: *τοὺς ὑπὲρ διοίκησιν ἐπισκόπους*, "those bishops placed over the dioceses, *i.e.* patriarchates;" but this is certainly wrong. Cf. the notes of Valesius on Socrat. v. 8.

[2] Valesius is of opinion that the Synod by this also intended to censure Meletius of Antioch, who, by the ordination of Gregory of Nazianzus, had interfered in the diocese of Thrace. See the notes of Valesius on Socrat. v. 8.

in fact a renewal of the sixth, and part of the fifth Nicene canons. It orders: (*a*) That the bishops of a (civil) diocese —that is, those large districts of the Empire, in accordance with which the ecclesiastical division was formed into patriarchates and exarchates[1]—shall not interfere with the affairs of foreign Churches. This prohibition, of course, applied first to the chief bishop of each such large diocese, the chief metropolitan, or, as he was afterwards called, patriarch or exarch; but, equally of course, it included the other bishops under him, who were likewise forbidden to interfere in another patriarchate.

(*b*) Among the number of such large dioceses are mentioned, Egypt, with the metropolitan city of Alexandria;[2] the East, with the metropolitan city of Antioch; Asia (*Asia Proconsularis*), with the metropolitan city of Ephesus; Pontus, with the metropolitan city of Cæsarea in Cappadocia; and Thrace, of which the ecclesiastical capital formerly was Heraclea, but is now Constantinople.[3]

(*c*) This canon further orders that in each ecclesiastical province the Provincial Synod shall govern, and therefore that in those provinces into which the patriarchate is divided, the patriarch or chief metropolitan was not to exercise entire power. This the Synod of Nicæa had already tried to prevent.[4] Thereby, too, the appeal to Rome was excluded.[5]

(*d*) An exception to the rule against interference in other patriarchates was made with regard to those Churches newly founded amongst barbarous nations (not belonging to the Roman Empire), as these were of course obliged to receive their first bishops from strange patriarchates, and remained afterwards too few in number to form patriarchates of their own, and were therefore governed as belonging to other patriarchates, as, for instance, Abyssinia by the patriarchate of Alexandria.

[1] On this cf. vol. i. pp. 381, 382, 391, 392.

[2] Concerning the extent of the patriarchate of Egypt, and the other dioceses mentioned, cf. vol. i. p. 395.

[3] With reference to this, Socrates, v. 8, says that this Synod "appointed patriarchs, while it divided the provinces." Concerning the title of patriarchs, however, cf. vol. i. p. 391.

[4] Cf. *supr.* vol. i. pp. 393, 396.

[5] Kober, *Deposition*, Tübingen 1867, pp. 394, sqq.

Can. 3.

Τὸν μεντοι Κωνσταντινουπόλεως ἐπίσκοπον ἔχειν τὰ πρεσβεῖα τῆς τιμῆς μετὰ τὸν τῆς Ῥώμης ἐπίσκοπον, διὰ τὸ εἶναι αὐτὴν νέαν Ῥώμην.

"The Bishop of Constantinople shall hold the first rank after the Bishop of Rome, because Constantinople is New Rome."

Baronius took pains to discredit the genuineness of this canon;[1] but he is certainly wrong, as it is not only given in the old collections of canons, but also by Socrates and Sozomen, who testify that this Council published such a decree.[2] On the other hand, many Greeks have explained this canon as deciding that the Bishop of Constantinople holds precisely equal rank with the Bishop of Rome, and that the preposition "after" (*μετὰ*) contained in it only indicated posteriority of time; but the Greek commentator Zonaras, preferring the truth, has combated this opinion, and added that the Emperor Justinian, in the 130th novel, in the 5th book, title iii. of his Imperial Constitutions, acknowledged a subjection of the See of Constantinople to that of Rome.[3]

This canon, as far as its wording goes, only bestows upon the Bishop of Constantinople a primacy of honour, and accordingly the famous Peter de Marca has undertaken to prove in a comprehensive dissertation, "that the patriarchal right, *i.e.* the jurisdiction of a patriarch, was first assigned to the Bishop of Constantinople by the fourth General Council (of Chalcedon), *honorem verum solum in Synodo Constantinopolitanâ.*"[4] Hergenröther, too, has recently adopted this view.[5] It appears to me, however, more probable that the canon assigned to the Bishop of Constantinople, together with the primacy of honour, jurisdiction over the diocese of Thrace, at the head of which Heraclea stood. Socrates says that "the Synod also appointed patriarchs, as it divided the eparchies (provinces). At this

[1] Baron. *Annal.* ad ann. 381, n. 35, 36.

[2] Socrat. v. 8; Sozom. vii. 9.

[3] In Bevereg. *Synodicon*, t. i. p. 90. [Justinian, however, comes more than a century and a half later.]

[4] Pet. de Marca, *De Constant. Patriarch. Institutione*, at the end of his work, *De Concordia Sacerdot. et Imperii*, appendix, pp. 155, sqq.

[5] *Photius*, vol. i. p. 32.

division, Nectarius of Constantinople received the Imperial city and the provinces of Thrace," etc.[1] Theodoret affirms the same, namely, that the Fathers at Constantinople "separated the dioceses (*i.e.* patriarchates) from one another."[2] And Hergenröther is obliged himself to confess that thenceforward "the presidency of the Thracian district no longer appertained to the bishop of Heraclea, but to the bishop of Constantinople." This is equivalent to saying that the latter from this time exercised jurisdiction over the diocese of Thrace.

If we inquire the reason why this Council tried to change the order of rank of the great Sees, which had been established in the sixth Nicene canon, we must first take into consideration that, since the elevation of Constantinople to the Imperial residence, as New Rome, the bishops as well as the Emperors naturally wished to see the new imperial residence, New Rome, placed immediately after Old Rome in ecclesiastical rank also; the rather, as with the Greeks it was the rule for the ecclesiastical rank of a See to follow the civil rank of the city. The Synod of Antioch in 341, in its ninth canon, had plainly declared this,[3] and subsequently the fourth General Council, in its seventeenth canon, spoke in the same sense. But how these principles were protested against on the side of Rome, we shall see further on in the history of the fourth General Council, in the 200th section, where we shall have again to notice this Council. For the present, it may suffice to add that the aversion to Alexandria, which, by favouring Maximus, had exercised such a disturbing influence on Church affairs in Constantinople,[4] may well have helped to effect the elevation of the See of Constantinople over that of Alexandria. Moreover, for many centuries Rome did not recognise this change of the old ecclesiastical order. In the sixteenth session of the fourth General Council, the Papal Legate, Lucentius, expressly declared this.[5] In like manner the Popes Leo the Great and Gregory the Great pronounced against it;[6] and though even Gratian adopted this canon in his collec-

[1] Socrat. v. 8.
[2] Theodoret, *Ep.* lxxxvi. *ad Flavianum*; cf. vol. i. p. 395.
[3] Cf. *supr.* p. 69.
[4] See above, pp. 341, 347.
[5] Mansi, t. vii. p. 442; Hard. t. ii. p. 635.
[6] See below, p. 371.

tion,[1] the Roman critics added the following note:—*Canon hic ex iis est, quos Apostolica Romana Sedes a principio et longo post tempore non recepit.* It was only when, after the conquest of Constantinople by the Latins, a Latin patriarchate was founded there in 1204, that Pope Innocent III., and the twelfth General Council,[2] in 1215, allowed this patriarch the first rank after the Roman; and the same recognition was expressly awarded to the Greek Patriarch at the Florentine Union in 1439.

Can. 4.

Περὶ Μαξίμου τοῦ Κυνικοῦ καὶ τῆς κατ' αὐτὸν ἀταξίας τῆς ἐν Κωνσταντινουπόλει γενομένης, ὥστε μήτε τὸν Μάξιμον ἐπίσκοπον ἢ γενέσθαι ἢ εἶναι, μήτε τοὺς παρ' αὐτοῦ χειροτονηθέντας ἐν οἱῳδήποτε βαθμῷ κλήρου, πάντων καὶ τῶν περὶ αὐτὸν καὶ τῶν παρ' αὐτοῦ γενομένων ἀκυρωθέντων.

"With regard to the Cynic Maximus, and the disorder occasioned by him in Constantinople, (it is declared) that Maximus never became a bishop, and is not one now, neither are any of those ordained by him to any grade whatsoever of the clerical office really ordained, as everything performed about him (viz. his consecration) and by him is pronounced invalid."

Maximus has been already repeatedly spoken of, and the manner of his consecration as bishop explained, according to which the Synod was perfectly right in pronouncing his deposition. The distinction between invalid (*invalida*, ἄκυρος) and irregular (*illicita*) ordination or consecration had not then been accurately defined. What was canonically invalid and practically unrecognised was simply designated ἄκυρος = invalid, while the later canon law distinguished accurately sacramental and canonical invalidity.[3]

Neither would Pope Damasus at first sanction the elevation of Maximus, as we have seen from his two letters to Acholius, bishop of Thessalonica. But a different view was taken soon after by many Latins, among whom was S. Ambrose; and at their Synod which took place in the autumn of the same year,

[1] C. 3, Dist. xxii.

[2] [The fourth Lateran.]

[3] Hergenröther, *Photius*, vol. ii. pp. 324, 338, sqq.

381, they pronounced decidedly in favour of Maximus, and his claims to the See of Constantinople, while they refused to recognise either Gregory of Nazianzus or Nectarius. They therefore proposed a common Synod for the Easterns and Westerns, where the question of the See of Constantinople should be definitively decided.[1] In the following year, however, the Greek bishops, at a fresh Synod at Constantinople, again set forth the legitimacy of the election of Nectarius,[2] and the Emperor Theodosius sent commissaries to Rome in support of their statements. The consequence was that the Pope also now declared for Nectarius, as Boniface I. testified a generation later.[3]

Can. 5.

Περὶ τοῦ τόμου τῶν Δυτικῶν καὶ τοὺς ἐν Ἀντιοχείᾳ ἀπεδεξάμεθα τοὺς μίαν ὁμολογοῦντας πατρὸς καὶ υἱοῦ καὶ ἁγίου πνεύματος θεότητα.

"With regard to the treatise (Tome) of the Westerns, we also recognised the Antiochians, who acknowledge the oneness of the Godhead of the Father, the Son, and the Holy Ghost."

As has been already mentioned,[4] this canon probably does not belong to the second General Council, but to the Synod held in the following year at Constantinople consisting of nearly the same bishops.

It is certain that by the *τόμος τῶν Δυτικῶν* a dogmatic work of the Western bishops is to be understood, and the only question is which Tome of the Westerns is here meant. Several—for instance, the Greek commentators, Balsamon and Zonaras, and the spokesman of the Latins at the Synod of Florence in 1439 (Archbishop Andrew of Rhodes)—understood by it the decrees of the Synod of Sardica;[5] but it seems to me that this canon undoubtedly indicates that the Tome of the Westerns also mentioned the condition of the Antiochian

[1] Cf. below, pp. 371, 378, and the notes of Valesius on Sozom. vii. 9. The Synodal Letter of the Latins to the Emperor Theodosius is contained in Hard. t. i. p. 845; Mansi, t. iii. p. 631.

[2] Theodoret, *l.c.* v. 9.

[3] In his *Epist. ad Episcopos Illyr.*; cf. Marca, *De Concordia Sacerd. et Imper.* lib. v. c. 21, n. 10.

[4] Cf. above, p. 352.

[5] Cf. *Tüb. Theol. Quartalschr.* 1852, p. 411.

Church, and the division into two parties of the orthodox of that place—the Meletian schism. Now, as this was not mentioned, nay, could not have been, at the Synod of Sardica, —for this schism at Antioch only broke out seventeen years later,[1]—some other document of the Latins must certainly be meant.[2] But we know that Pope Damasus, and the Synod assembled by him in 369, addressed a Tome to the Orientals, of which fragments are still preserved,[3] and that nine years later, in 379, a great Synod at Antioch of one hundred and forty-six orthodox Oriental bishops, under Meletius, accepted and signed this Tome, and at the same time sought to put a stop to the Meletian schism.[4] Soon afterwards, in 380, Pope Damasus and his fourth Roman Synod again sent a treatise on the faith, of which we still possess a portion, containing anathemas, to the Orientals, especially to Bishop Paul of Antioch, head of the Eustathians of that city.[5]

Under these circumstances, we are justified in referring the expression τόμος τῶν Δυτικῶν either to the Roman treatise of 369 or to that of 380, and I am disposed to give the preference to the former,[6] for the following reasons:—

(1.) As has been already observed, this canon belongs to the Synod held at Constantinople in 382.

(2.) We still possess in Theodoret a Synodal Letter to the Latins from this later Synod.[7]

(3.) The canon in question, as proceeding from the same source, is, of course to a certain extent, connected with this letter.

(4.) In this Synodal Letter, the Eastern bishops, in order to convince the Latins of their orthodoxy, appeal to two documents, the one a τόμος of an Antiochian Synod, and the other

[1] Cf. above, pp. 278, sq., and my treatise on the Meletian schism in the *Kirchenlexicon* of Wetzer and Welte, vol. vii. pp. 42, sqq.

[2] Cf. Bevereg. *Pandectæ*, t. ii.; *Annotat.* p. 97, and Tillemont, *Mémoires*, t. ix. art. 77, in the treatise, *S. Grégoire Naz.* p. 221, ed. Brux. 1732.

[3] In Mansi, t. iii. pp. 459–462; Hard. t. i. p. 772; cf. above, p. 288, note 2.

[4] See above, p. 291.

[5] See above, p. 292, note 2.

[6] Baronius, however (ad ann. 381, 26), and Fuchs, *Biblioth. der Kirchenvers.* vol. ii. p. 418, understand by the τόμος τῶν Δυτικῶν the letter of Paul in 380. Cf. on the other hand, Marca, *De Concordia Sac. et Imp.* lib. i. c. 4, n. 5.

[7] Theodoret, v. 9.

a τόμος of the Œcumenical Council held at Constantinople in 381.[1]

(5.) By the Antiochian Synod here mentioned, I understand the great Synod of 378, and, as a necessary consequence, believe the τόμος there produced to be none other than the Roman Tome of 369, which was then accepted at Antioch.

(6.) It is quite certain that the Synod of Antioch sent a copy of this Tome, with the declaration of its acceptance and the signatures of the members, back to Rome, as a supplement to its Synodal Letter; and hence Lucas Holstenius was still able to find fragments of it in Rome.[2]

(7.) The Synod of Constantinople of 382 might well call this Tome, sent back to Rome with the acceptance and signatures of the Easterns, a "Tome established at Antioch," although it was really drawn up at Rome.

(8.) If, however, the Synod of Constantinople in its Synodal Letter speaks of this Tome, we are justified in supposing that the one mentioned in its canon is the same.

(9.) That which still remains of the Roman Tome of 369, treats expressly of the oneness of the Godhead of the Father, the Son, and the Holy Ghost;[3] and such were the contents of the Tome according to this canon.

(10.) It is true that the fragments still preserved of this Tome contain no passage directly referring to the Antiochian schism; but, in the first place, very little remains of it, and there is the more reason to suppose that the Meletian schism was spoken of in the portion which has been lost, as it was the same Antiochian Synod that accepted the Tome which urged the putting an end to that schism. It is still more to the purpose that the Italian bishops, in their letter to the Easterns in 381, expressly say that they had already long before (*dudum*) written to the Orientals in order to put an end to the division between the orthodox at Antioch. By this "*dudum*" I conclude that they refer to the Roman Tome

[1] In Theodoret, *l.c.* v. 9, p. 211, ed. Mog.

[2] Cf. the marginal note of Hardouin at t. i. p. 772; and Mansi's, on t. iii. p. 459.

[3] In Mansi, t. iii. p. 459 C, and p. 461 D.

of 369; and if the Westerns in their letter to the Easterns in 381 pointed to this Tome, it was natural that the Synod of Constantinople of 382 should also have referred to it, for it was that very letter of the Latins which occasioned and called the Synod into being.

Lastly, for the full understanding of this canon, it is necessary to observe that the Latins, in their letter just mentioned of 381, say that "they had already in their earlier missive (*i.e.*, as we suppose, in the Tome of 369) spoken to the effect that both parties at Antioch, one as much as the other, were orthodox."[1] Agreeing with this remark of the Westerns, repeated in their letter of 381, the Easterns in this canon say, "We also recognise all Antiochians as orthodox who acknowledge the oneness of the Godhead of the Father, the Son, and the Holy Ghost."

Beveridge[2] and Van Espen[3] attach a different sense to this canon. In their opinion, it means: "With regard to the Tome of the Westerns, we agree with the Antiochians (that is, the Antiochian Synod of 378) who (accepted it and) acknowledged the oneness of the Godhead of the Father, the Son, and the Holy Ghost." But, against this, it must be observed that, generally speaking, in ecclesiastical language, *ἀποδέχεσθαι* means to recognise and receive any one as a member of the Church, not to agree to the opinion of another.

Can. 6.

Ἐπειδὴ πολλοὶ τὴν ἐκκλησιαστικὴν εὐταξίαν συγχεῖν καὶ ἀνατρέπειν βουλόμενοι, φιλέχθρως καὶ συκοφαντικῶς αἰτίας τινὰς κατὰ τῶν οἰκονομούντων τὰς ἐκκλησίας ὀρθοδόξων ἐπισκόπων συμπλάττουσιν, οὐδὲν ἕτερον ἢ χραίνειν τὰς τῶν ἱερέων ὑπολήψεις καὶ ταραχὰς τῶν εἰρηνευόντων λαῶν κατασκευάζειν ἐπιχειροῦντες· τούτου ἕνεκεν ἤρεσε τῇ ἁγίᾳ συνόδῳ τῶν ἐν Κωνσταντινουπόλει συνδραμόντων ἐπισκόπων, μὴ ἀνεξετάστως προσίεσθαι τοὺς κατηγόρους, μηδὲ πᾶσιν ἐπιτρέπεσθαι τὰς κατηγορίας ποιεῖσθαι κατὰ τῶν οἰκονομούντων τὰς ἐκκλησίας,

[1] Hard. t. i. p. 845 B; and Mansi, t. iii. p. 631 C.
[2] Bevereg. *Pandectæ*, etc., t. ii.; *Annotat.* p. 97.
[3] *Commentarius in Canones*, etc., p. 191, ed. Colon. 1755.

μηδὲ μὲν πάντας ἀποκλείειν· ἀλλ' εἰ μέν τις οἰκείαν τινὰ μέμψιν, τοῦτ' ἔστιν ἰδιωτικὴν, ἐπαγάγοι τῷ ἐπισκόπῳ, ὡς πλεονεκτηθεὶς ἢ ἄλλο τι παρὰ τὸ δίκαιον παρ' αὐτοῦ πεπονθώς· ἐπὶ τῶν τοιούτων κατηγοριῶν μὴ ἐξετάζεσθαι μήτε πρόσωπον τοῦ κατηγόρου μήτε τὴν θρησκείαν· χρὴ γὰρ παντὶ τρόπῳ τό τε συνειδὸς τοῦ ἐπισκόπου ἐλεύθερον εἶναι, καὶ τὸν ἀδικεῖσθαι λέγοντα, οἵας ἂν ᾖ θρησκείας, τῶν δικαίων τυγχάνειν. Εἰ δὲ ἐκκλησιαστικὸν εἴη τὸ ἐπιφερόμενον ἔγκλημα τῷ ἐπισκόπῳ, τότε δοκιμάζεσθαι χρὴ τῶν κατηγορούντων τὰ πρόσωπα, ἵνα πρῶτον μὲν αἱρετικοῖς μὴ ἐξῇ κατηγορίας κατὰ τῶν ὀρθοδόξων ὑπὲρ ἐκκλησιαστικῶν πραγμάτων ποιεῖσθαι· αἱρετικοὺς δὲ λέγομεν τούς τε πάλαι τῆς ἐκκλησίας ἀποκηρυχθέντας, καὶ τοὺς μετὰ ταῦτα ὑφ' ἡμῶν ἀναθεματισθέντας, πρὸς δὲ τούτοις καὶ τοὺς τὴν πίστιν μὲν τὴν ὑγιῆ προσποιουμένους ὁμολογεῖν, ἀποσχίσαντας δὲ καὶ ἀντισυνάγοντας τοῖς κανονικοῖς ἡμῶν (τῶν) ἐπισκόποις. ἔπειτα δὲ καὶ εἴ τινες τούτων ἀπὸ τῆς ἐκκλησίας ἐπὶ αἰτίαις τισὶ προκατεγνωσμένοι εἶεν καὶ ἀποβεβλημένοι ἢ ἀκοινώνητοι, εἴτε ἀπὸ κλήρου εἴτε ἀπὸ λαϊκοῦ τάγματος· μηδὲ τούτοις ἐξεῖναι κατηγορεῖν ἐπισκόπου, πρὶν ἂν τὸ οἰκεῖον ἔγκλημα πρότερον ἀποδύσωνται. ὁμοίως δὲ καὶ τοὺς ὑπὸ κατηγορίαν προλαβοῦσαν ὄντας μὴ πρότερον εἶναι δεκτοὺς εἰς ἐπισκόπου κατηγορίαν ἢ ἑτέρων κληρικῶν, πρὶν ἂν ἀθώους ἑαυτοὺς τῶν ἐπαχθέντων αὐτοῖς ἀποδείξωσιν ἐγκλημάτων. Εἰ μέντοι τινὲς μήτε αἱρετικοὶ μήτε ἀκοινώνητοι εἶεν, μήτε προκατεγνωσμένοι ἢ προκατηγορημένοι ἐπί τισι πλημμελήμασι, λέγοιεν δὲ ἔχειν τινὰ ἐκκλησιαστικὴν κατὰ τοῦ ἐπισκόπου κατηγορίαν· τούτους κελεύει ἡ ἁγία σύνοδος πρῶτον μὲν ἐπὶ τῶν τῆς ἐπαρχίας πάντων ἐπισκόπων ἐνίστασθαι τὰς κατηγορίας, καὶ ἐπ' αὐτῶν ἐλέγχειν τὰ ἐγκλήματα τοῦ ἐν αἰτίαις τισὶν ἐπισκοπου. Εἰ δὲ συμβαίη ἀδυνατῆσαι τοὺς ἐπαρχιώτας πρὸς διόρθωσιν τῶν ἐπιφερομένων ἐγκλημάτων τῷ ἐπισκόπῳ, τότε αὐτοὺς προσιέναι μείζονι συνόδῳ τῶν τῆς διοικήσεως ἐπισκόπων ἐκείνης, ὑπὲρ τῆς αἰτίας ταύτης συγκαλουμένων, καὶ μὴ πρότερον ἐνίστασθαι τὴν κατηγορίαν, πρὶν ἢ ἐγγράφως αὐτοὺς τὸν ἴσον αὐτοῖς ὑποτιμήσασθαι κίνδυνον, εἴπερ ἐν τῇ τῶν πραγμάτων τάξει (ἐξετάσει) συκοφαντοῦντες τὸν κατηγορούμενον ἐπίσκοπον ἐλεγχθεῖεν· Εἰ δέ τις καταφρονήσας τῶν κατὰ τὰ προδηλωθέντα δεδογμένων τολμήσειεν ἢ βασιλικὰς ἐνοχλεῖν ἀκοὰς ἢ κοσμικῶν ἀρχόντων δικαστήρια ἢ οἰκουμενικὴν σύνοδον ταράττειν, πάντας ἀτιμάσας τοὺς τῆς διοικήσεως ἐπισ-

κόπους, τὸν τοιοῦτον τὸ παράπαν εἰς κατηγορίαν μὴ εἶναι δεκτὸν, ὡς καθυβρίσαντα τοὺς κανόνας, καὶ τὴν ἐκκλησιαστικὴν λυμηνάμενον εὐταξίαν.

"Seeing that many, in order to disturb and destroy the order of the Church, invidiously and wantonly invent accusations against the orthodox bishops who govern the Church, for the sole purpose of injuring the reputation of the priests, and bringing disquiet among the peaceable people, the Holy Synod of the bishops assembled at Constantinople has decided that in future no accuser shall be received without examination, that neither shall all be allowed, nor all forbidden to bring accusations against the governors of the Church. But, in the case of any one bringing a private complaint against the bishop, as having been defrauded by him, or in any other way unjustly treated, neither the person nor the religion of the accuser shall be considered, for the conscience of the bishop should be perfectly clear, and he who affirms that he has been injured, of whatever religion he may be, must receive justice. If, however, the complaint brought against the bishop is of an ecclesiastical offence, then the persons of the accusers must be inquired into, so that, in the first place, heretics may not be allowed to raise complaints concerning ecclesiastical matters against orthodox bishops. And we designate as heretics both those who have been formerly shut out from the Church, and those who have afterwards been anathematized by us; and, in addition to them, those who indeed profess to acknowledge the sound faith, but who separate themselves from the orthodox bishops and hold assemblies of their own. In the next place, members of the Church, who for certain reasons have been condemned or excommunicated, and have been deprived of communion, whether of the clergy or laity, shall not be allowed to bring an accusation against a bishop, until they have first cleared themselves of the charge laid against them. In like manner, those who are already under accusation [1] shall not be allowed to bring a charge against the bishop or any of the clergy, until they have cleared themselves from the charges brought against them. If, however, persons who are neither

[1] The preceding sentence treats of those who are not only under accusation, but already condemned.

heretics nor excommunicated, nor condemned, nor accused of offences, bring a charge in ecclesiastical matters against the bishop, the Holy Synod orders that such shall first bring their complaints before the assembled bishops of the province, and prove their charge before them. If, however, the comprovincials are not in a position to punish the bishop for the offences with which he is charged, they (the accusers) shall have recourse to the larger Synod of the bishops of the diocese (patriarchate), who must be summoned for the purpose, and they shall not bring forward their complaint until they have promised in writing to undergo the same punishment (which would be incurred by the accused bishop), if, on investigation, they are convicted of having brought a false charge. If, however, any one, in contempt of what is here prescribed, presumes either to importune the ears of the Emperor, or to trouble the secular law courts, or an Œcumenical Synod, and thus dishonours the bishops of the diocese (patriarchate), his charge shall most certainly not be received, because he has contemned the canons and violated the order of the Church."

That this canon probably did not emanate from the second Œcumenical Council, but from the subsequent Synod of the year 382, has been already mentioned,[1] and I will only add that Pope Nicholas I. says of it, in his letter to the Greek Emperor Michael, that "it is not found in the Roman copies" (*quod tamen non apud nos inventum, sed apud vos haberi perhibetur*).[2] Beveridge and Van Espen have left detailed commentaries on this canon.[3]

Can. 7.

Τοὺς προστιθεμένους τῇ ὀρθοδοξίᾳ, καὶ τῇ μερίδι τῶν σωζομενων ἀπὸ αἱρετικῶν δεχόμεθα κατὰ τὴν ὑποτεταγμένην ἀκολουθίαν καὶ συνήθειαν. Ἀρειανοὺς μὲν καὶ Μακεδονιανοὺς, καὶ Σαββατιανοὺς, καὶ Ναυατιανοὺς, τοὺς λέγοντας ἑαυτοὺς καθαροὺς καὶ ἀριστεροὺς (ἀρίστους), καὶ τοὺς Τεσσαρεσκαιδεκατίτας, εἴτουν Τετραδίτας, καὶ Ἀπολλιναριστὰς δεχόμεθα διδόντας λιβέλλους καὶ ἀναθεματίζοντας πᾶσαν αἵρεσιν, μὴ

[1] Cf. *supr.* p. 352.

[2] Nicolai I. *Epistola* 8, in Hard. t. v. p. 150.

[3] Bevereg. *Pandectæ*, t. ii.; *Annotat.* pp. 98 sqq.; Van Espen, *Comment. in Canones*, etc., pp. 192, sq.

φρονοῦσαν ὡς φρονεῖ ἡ ἁγία τοῦ θεοῦ καθολικὴ καὶ ἀποστολικὴ ἐκκλησία, καὶ σφραγιζομένους, ἤτοι χριομένους πρῶτον τῷ ἁγίῳ μύρῳ τό τε μέτωπον καὶ τοὺς ὀφθαλμοὺς καὶ τὰς ῥῖνας καὶ τὸ στόμα καὶ τὰ ὦτα· καὶ σφραγίζοντες αὐτοὺς λέγομεν· Σφραγὶς δωρεᾶς πνεύματος ἁγίου. Εὐνομιανοὺς μέντοι τοὺς εἰς μίαν κατάδυσιν βαπτιζομένους, καὶ Μοντανιστὰς τοὺς ἐνταῦθα λεγομένους Φρύγας, καὶ Σαβελλιανοὺς τοὺς υἱοπατορίαν διδάσκοντας, ἢ ἕτερά τινα χαλεπὰ ποιοῦντας, καὶ τὰς ἄλλας πάσας αἱρέσεις—ἐπειδὴ πολλοί εἰσιν ἐνταῦθα, μάλιστα οἱ ἀπὸ τῆς Γαλατῶν χώρας ἐρχόμενοι·—πάντας τοὺς ἀπ' αὐτῶν θέλοντας προστίθεσθαι τῇ ὀρθοδοξίᾳ ὡς Ἕλληνας δεχόμεθα· καὶ τὴν πρώτην ἡμέραν ποιοῦμεν αὐτοὺς Χριστιανούς, τὴν δὲ δευτέραν κατηχουμένους, εἶτα τὴν τρίτην ἐξορκίζομεν αὐτοὺς μετὰ τοῦ ἐμφυσᾶν τρίτον εἰς τὸ πρόσωπον καὶ εἰς τὰ ὦτα αὐτῶν· καὶ οὕτως κατηχοῦμεν αὐτοὺς, καὶ ποιοῦμεν αὐτοὺς χρονίζειν εἰς τὴν ἐκκλησίαν καὶ ἀκροᾶσθαι τῶν γραφῶν· καὶ τότε αὐτοὺς βαπτίζομεν.

"Those who turn to orthodoxy, and from heretics to the number of those who are being saved, we receive in the following manner. We receive the Arians and Macedonians, the Sabbatians[1] and Novatians, who call themselves Cathari and Aristeori,[2] also the Tetradites (Quartodecimans) and Apollinarians, on their anathematizing in writing every heresy which is not in accordance with the Holy Catholic and Apostolic Church of God,[3] and, being first sealed or anointed with the holy oil on the forehead, eyes, nostrils, mouth, and ears. And in sealing them we say, "The seal of the gift of the Holy Ghost." But the Eunomians, who only baptize with one immersion, and the Montanists, who are here called Phrygians, and the Sabellians, who teach the doctrine of the Fatherhood of the Son (*υἱοπατορία*),[4] or err grievously in other ways, and all other heretics—of whom there are many here, especially those who come from Galatia,[5]—all of those who are willing

[1] A sort of Novatians who derive their name from their teacher Sabbatius, who defended the Quartodeciman (Jewish) practice as to the keeping of Easter; cf. Sozom. vii. 18.

[2] Viz., "left hand;" but *ἀρίστους* (best) is probably the right reading.

[3] The same was required of the Novatians at Nicæa, canon 8, vol. i. p. 412.

[4] Cf. *supr.* p. 230.

[5] The Marcellians and Photinians; cf. Zahn, *Marcellus von Ancyra*, 1867, p. 96.

to turn from these heresies to the orthodox faith, we receive (only) as heathen; on the first day we make them Christians,[1] on the second catechumens, on the third we exorcise them by three times breathing on them on the face and on the ears; thus we instruct them and make them frequent the Church for a long time, and listen to the Holy Scriptures, and then we baptize them."[2]

While the two preceding canons, though not belonging to the second General Council, still are contained in the old collection of John Scholasticus or Antiochenus, the seventh canon is wanting there also, nor is it to be found in the old Latin translations, and therefore it could not have been in the oldest Greek collections. It is also wanting in the Arabic paraphrase of these canons, and in the epitome of Simeon Logotheta. To this it must be added that it really orders nothing, and, moreover, has not the form of a canon, but only relates what was the practice of the Church with regard to the reception of heretics. Now, as we possess a letter from the Church at Constantinople in the middle of the fifth century to Bishop Martyrius of Antioch, in which the same subject is referred to in a precisely similar way, Beveridge was probably right in conjecturing that the canon was only an extract from this letter to Martyrius; therefore in no way a decree of the second General Council, nor even of the Synod of 382, but at least eighty years later than the latter.[3] This canon, with an addition, was afterwards adopted by the Quinisext Synod as its ninety-fifth, without, however, giving its origin.

Touching the sense of the last lines of this canon, Mayer rightly combats the notion that three classes of catechumens are here meant.[4] He only admits two classes of catechumens.[5]

[1] The word is used here in the widest sense, as this title was often given to the catechumens of the lowest class. Cf. vol. i. pp. 153, 156, 163.

[2] The reason that some sects, especially the Montanists and Sabellians, whose baptism the Council of Nicæa (can. 19) does not appear to have declared invalid, are here included, probably is that at the time of the Council of Nicæa these sects still used the Church formula of baptism, but afterwards discontinued it. Cf. Mattes, in his treatise on heretical baptism, in the *Tübing. Quartalschr.* 1849, p. 580, Anm. i.

[3] Bevereg. *Pandectæ*, t. ii.; *Annotat.* p. 100, sqq.; Van Espen, *l c.* p. 194.

[4] *Gesch. des Katechumenats*, pp. 55, sqq. [5] *Ibid.* p. 59.

He says that these heretics were certainly not received among the φωτιζόμενοι (third class) so soon as the third day after their return; certainly they were not. One finds elsewhere (in the case of those converted from heathenism) the exorcisms always belonging to the last grade of the catechumens, while with those who came over from the ranks of heresy, on the contrary, the exorcisms most likely took place immediately upon their conversion.

Sec. 99. *The Second General Council receives the Imperial Confirmation.*

Having so far considered the creed and the canons of the second Œcumenical Council, there yet remains for our consideration one document belonging to it, *i.e.* the short letter which the Synod at its close addressed to the Emperor Theodosius the Great, in which it thanks God and the Emperor, and gives the latter a summary of its proceedings. "In obedience to your letters," say the bishops, "we met together at Constantinople, and, having first restored union among ourselves, we then made short definitions (συντόμους ὅρους) confirming the faith of the Fathers of Nicæa, and condemning the heresies which have risen in opposition to it. We have also, for the sake of ecclesiastical order, drawn up certain canons; and all this we append to our letter. We pray you now, of your goodness, to confirm by a letter of your piety the decision of the Synod, that, as you have honoured the Church by your letters of convocation, you would thus seal the decisions," etc.[1]

The Emperor Theodosius granted the wish here expressed, and from Heraclea, on the 30th of July 381,[2] he issued the command that "all the churches were at once to be surrendered to the bishops who believed in the oneness of the Godhead of the Father, the Son, and the Holy Ghost, and were in communion with Nectarius of Constantinople, in Egypt with Timotheus of Alexandria, in the East with Pelagius of

[1] Mansi, t. iii. p. 557; Hardouin, t. i. p. 807.

[2] The 30th of July is therefore the *terminus ad quem* of this Synod. Cf. Remi Ceillier, *l.c.* pp. 653, sq.

Laodicea and Diodorus of Tarsus, in proconsular Asia and the Asiatic diocese with Amphilochius of Iconium and Optimus of Antioch (in Pisidia), in the diocese of Pontus with Helladius of Cæsarea, Otreius of Melitene, and Gregory of Nyssa, lastly (in Mœsia and Scythia) with Terentius, the Bishop of Scythia (Tomi), and with Martyrius, Bishop of Marcianople (now Preslaw in Bulgaria). All who were not in communion with the above-named, should, as avowed heretics, be driven from the Church."[1]

Sozomen gives just the same account,[2] but Socrates has misrepresented the matter, and thereby occasioned many errors.[3] First, according to his account, it was not the Emperor but the Synod which gave the above-mentioned bishops special prerogatives; and, secondly, these bishops were thereby raised to the dignity of patriarchs, whereas it was plainly only on account of their personal worth, not on account of the dignity of their Sees, that they were regarded as models of orthodoxy. It could certainly never have entered any one's head to raise the little town of Nyssa into a patriarchate, and yet Gregory of Nyssa is mentioned in the above list. On the other hand, the name of Meletius of Antioch is wanting, although the special prerogatives of Antioch had already been recognised at Nicæa, and had never during the course of centuries been questioned. Most assuredly, if there had been any question of patriarchates, Antioch would not have been passed over. On the other hand, it could not possibly have been mentioned for the purpose intended by the Emperor in the above command, because at that moment two orthodox parties in Antioch were disputing the possession of the See.

Sec. 100. *The Authority of the Second General Council.*

Lastly, to turn to the question of the authority of this Council, it appears, first of all, that immediately after its close, in the same year, 381, several of its acts were censured by a

[1] *Cod.* Theodos. l. 3; *De Fide Cathol.* t. vi. p. 9; also printed in the notes of Valesius on Socrat. v. 8.

[2] Sozomen, vii. 9.

[3] Socrat. v. 8.

Council of Latins, namely, the prolongation of the Meletian schism (by the elevation of Flavian), and the choice of Nectarius as Bishop of Constantinople, while, as is known, the Westerns held the (Cynic) Maximus to be the rightful bishop of that city.[1]

In consequence of this, the new Synod assembled in the following year, 382, at Constantinople, sent the Latins a copy of the decrees of faith composed the year before, expressly calling this Synod *οἰκουμενική*, and at the same time seeking to justify it in those points which had been censured.[2] Photius maintains that soon afterwards Pope Damasus confirmed[3] this Synod; but, as the following will show, this confirmation could only have referred to the creed and not to the canons. As late as about the middle of the fifth century, Pope Leo I. spoke in a very depreciatory manner of these canons, especially of the third, which concerned the ecclesiastical rank of Constantinople, remarking that it was never sent to the See of Rome.[4] Still later, Gregory the Great wrote in the same sense: *Romana autem Ecclesia eosdam canones vel gesta Synodi illius hactenus non habet, nec accepit; in hoc autem eam accepit, quod est per eam contra Macedonium definitum.*[5]

Thus, as late as the year 600, only the creed, but not the canons of the Synod of Constantinople were accepted at Rome; but on account of its creed, Gregory the Great reckons it as one of the four Œcumenical Councils, which he compares to the four Gospels.[6] So also before him the Popes

[1] Cf. above, p. 359, and the *Epistola Synodi Ital. ad Theodosium* in Hard. t. i. p. 845; Mansi, t. iii. p. 631.

[2] The letter in question is in Theodoret, *l.c.* v. 9. As, however, at that time the whole West had still not received this Synod, it is clear that the expression *οἰκουμενική* must not be here understood in its fullest meaning. The assembled bishops could only say, "We, for our part, acknowledge that Council as œcumenical;" or they might, which comes to the same thing, understand *οἰκουμενική* in the same sense as the Africans did their "universalis." Cf. vol. i. p. 3, and vol. ii. p. 175.

[3] Photius, *De Synodis*, p. 1143, ed. Justelli; printed in Mansi, t. iii. p. 595.

[4] Leo I. *Epist.* 106 (*alias* 80) *ad Anatolium*, c. 2; cf. also *Diss.* i. *de Vita Leonis*, in the second vol. of the Ballerini edition, p. 525.

[5] Gregorii, lib. vii. *Epist.* 34, p. 882, ed. Bened.

[6] "Sicut sancti Evangelii quatuor libros, sic quatuor Concilia suscipere et

Vigilius and Pelagius II. reckoned this Synod among the Œcumenical Councils.[1]

The question is, from what date the Council of Constantinople was considered œcumenical by the Latins as well as by the Greeks. We will begin with the latter.

Although, as we have seen, the Synod of 382 had already designated this Council as œcumenical, yet it could not for a long time obtain an equal rank with the Council of Nicæa, for which reason the General Council of Ephesus mentions that of Nicæa and its creed with the greatest respect,[2] but is totally silent as to this Synod. Soon afterwards, the so-called Robber-Synod in 449 spoke of two (General) Councils, at Nicæa and Ephesus, and designated the latter as ἡ δευτέρα σύνοδος,[3] as a plain token that it did not ascribe such a high rank to the assembly at Constantinople. It might perhaps be objected that only the Monophysites, who notoriously ruled the Robber-Synod, used this language; but the most determined opponent of the Monophysites, their accuser, Bishop Eusebius of Doylæum, in like manner also brought forward only the two Synods of Nicæa and Ephesus, and declared that "he held to the faith of the three hundred and eighteen Fathers assembled at Nicæa, and to all that was done at the great and Holy Synod at Ephesus."[4]

The creed of Constantinople appears for the first time to have been highly honoured at the fourth General Council, which had it recited after that of Nicæa, and thus solemnly approved it.[5] Since then this Synod has been universally honoured as œcumenical by the Greeks,[6] and was mentioned

venerari me fateor. Nicænum scilicet, in quo perversum Arii dogma destruitur; Constantinopolitanum quoque, in quo Eunomii et Macedonii error convincitur; Ephesinum etiam primum, in quo Nestorii impietas judicatur; Chalcedonense vero, in quo Eutychetii Dioscorique pravitas reprobatur."—Lib. i. *Epist.* 25, p. 515, t. ii.; cf. vol. i. p. 2.

[1] See Van Espen, *Commentarius, l.c.* 185.

[2] It was recited at the first sitting at Ephesus; Hard. t. i. p. 1363; Mansi, t. iv. p. 1138.

[3] In Hard. t. ii. p. 95 b, and 106 b; Mansi, t. vi. p. 626 d, and p. 643 a.

[4] In the *Actio* I. of the Constantinopolitan Synod of 448, in Hard. t. ii. p. 111 a; Mansi, t. vi. p. 651 d.

[5] See above, pp. 350, sq.

[6] Cf. the *Præfatio* of the Ballerini in the 3d vol. of their edition of the works of Leo the Great, p. 54.

by the Emperor Justinian with the Councils of Nicæa, Ephesus, and Chalcedon, as of equal rank.[1]

But in the West, and especially in Rome, however satisfied people were with the decree of faith enacted by this Synod, and its completion of the creed, yet its third canon, respecting the rank of Constantinople, for a long time proved a hindrance to its acknowledgment. This was especially shown at the Council of Chalcedon, and during the time immediately following. When at that Council the creed of Constantinople was praised, repeated, and confirmed, the Papal Legates fully concurred; but when the Council also renewed and confirmed the third canon of Constantinople, the Legates left the assembly, lodged a protest against it on the following day, and declared that the rules of the hundred and fifty bishops at Constantinople were never inserted among the Synodal canons (which were recognised at Rome).[2] The same was maintained by Pope Leo himself, who, immediately after the close of the Council of Chalcedon, wrote to Bishop Anatolius of Constantinople: "that document of certain bishops (*i.e.* the third canon of Constantinople) was never brought by your predecessors to the knowledge of the Apostolic See."[3] Leo also, in his 105th letter to the Empress Pulcheria, speaks just as depreciatingly of this Council of Constantinople; and Quesnel is entirely wrong in maintaining that the Papal Legates at the Synod of Chalcedon at first practically acknowledged the validity of the third canon of Constantinople. Bishop Eusebius of Doylæum was equally mistaken in maintaining at Chalcedon itself, that the third canon had been sanctioned by the Pope; and we shall have occasion further on, in the history of the Council of Chalcedon, to show the untenable character of both statements.

Pope Felix III. took the same view as Pope Leo, when, in his letter to the monks at Constantinople and Bithynia in 485, he only spoke of three General Councils at Nicæa, Ephesus, and Chalcedon;[4] neither did his successor Gelasius

[1] In his edict against the three chapters in Hard. t. iii. p. 303.
[2] Hard. t. ii. p. 635; Mansi, t. vii. p. 442.
[3] S. Leonis M. *Epist.* 106, n., ed. Ballerini, t. i. p. 1165; Mansi, t. vi. p. 203.
[4] In Hard. t. ii. p. 855.

(492-496) in his genuine decree, *De libris recipiendis*,[1] mention this Synod. It may certainly be said, on the other hand, that in the sixth century its œcumenical character had come to be most distinctly acknowledged in the Latin Church also, and, as we have seen above, had been expressly affirmed by the Popes Vigilius, Pelagius II., and Gregory the Great. But this acknowledgment, even when it is not expressly stated, only referred to the decrees on faith of the Council of Constantinople, and not to its canons, as we have already observed in reference to the third and sixth of them.

[1] Cf. the remark of the Ballerini in their edition of the works of Leo, t. iii. pp. 53 and 151 sqq.; also Thiel, *De Decretali Gelasii*, Brunswick 1866, p. 23. But in the later and altered text of the decree of Gelasius, *De libris recipiendis*, which has been received into the *Corpus Jur. Can.* c. 3, the Synod of Constantinople is mentioned.

BOOK VIII.

THE TIME BETWEEN THE SECOND AND THIRD GENERAL COUNCILS.

Sec. 101. *Synods at Aquileia and Milan in* 381.

In the same year as the second General Council a Synod was also held at Aquileia. Two Illyrian bishops, Palladius and Secundianus, whose Sees are unknown, would not acknowledge themselves to be Arians; they had, however, been accused by the other Western bishops of heresy, and had therefore already in 378, or the beginning of 379, when Gratian was sole regent of the whole empire, requested him to assemble a great General Council of Eastern and Western bishops to inquire into the matter. In so doing, they of course set their hopes on the many Arianizing bishops of the East. Gratian wished at first to comply with their desire, but was persuaded by S. Ambrose of Milan only to command the neighbouring bishops to assemble at a Synod at Aquileia, while all the rest, especially the Eastern bishops, were left free to appear or not. In the summer of 381, therefore, thirty-two bishops were collected from different countries of the West, from Italy, Pannonia, Gaul, and Africa, many of whom acted singly as plenipotentiaries for whole provinces. Spain and Rome alone were not represented, the latter probably because Ursinus was just then disputing possession of the Apostolic See with Pope Damasus, as we have already seen.[1] The most celebrated of the assembled bishops were S. Valerian of Aquileia, the president of the Synod, and S. Ambrose, who was the most active member, and the soul

[1] Cf. *supr.* p. 287.

of the whole affair. Abundantius of Trent, Theodorus of Octodurum, the apostle of Wallis,[1] and the well-known Philastrius of Brescia, had also appeared.

After they had for a considerable time, in August 381, held several preliminary confidential discussions with Palladius and Secundianus,—at which, as nothing was committed to paper, they gave tolerably free expression to their errors,—the formal proceedings began, or the actual Synod was opened, on the third of September 381. At the desire of Ambrose, who was the chief speaker of the orthodox, the letter of Arius to his bishop, Alexander of Alexandria,[2] was read aloud, and Palladius was asked whether or not he agreed to these blasphemies against the Son. He gave no direct answer, but rather complained that Ambrose had hindered a General Council from taking place, and insisted upon the presence of his brethren the Eastern bishops. Besides this, he tried all sorts of evasions, and did not join in the anathema which the other bishops pronounced upon all the leading points of the Arian doctrine. Such were also the tactics of Secundianus and the priest Attalus, who belonged to the same party, and they demanded the adjournment of the Synod until a greater number of the laity should also have arrived. But on the proposal of Ambrose, the Synod on the same day, the 3d September, at one o'clock in the afternoon, pronounced the anathema and sentence of deposition upon Palladius, Secundianus, and Attalus,[3] and sent immediate tidings of this in a circular to all the bishops of the West.[4] The Synod sent a

[1] Cf. Gelpke, *Kirchengeschichte der Schweiz.* 1856, part i. pp. 91, sq.

[2] See vol. i. p. 272.

[3] The acts of this Synod, printed in Mansi, t. iii. pp. 599, sqq., and Hard. t. i. p. 826, in German in Fuchs, *Biblioth. der Kirchenvers.*, vol. ii. pp. 442, sqq., are to be found in Vigilius of Thapsus, and also in many codices of the Ambrosian letters, as they are probably composed by Ambrose. See Ambrosii *Opp. Epist. VIII.* t. ii. p. 786, ed. Bened., Paris, and t. iii. p. 820, ed. Venet. 1751.—Peter Franz Chifflet (in his *Vindic. Opp. Vigilii*, p. 37) declared these acts to be spurious; but the Benedictine editors of the works of S. Ambrose (*l.c.* p. 758 of their treatise, *Ordo Epistolarum S. Ambros.*), and Fuchs, *l.c.* p. 433, refuted this opinion.

[4] A similar letter to the bishops of Gaul, also preserved in Vigilius of Thapsus, is found in Mansi, t. iii. p. 615, and in Ambros. *Epist. IX. l.c.* t. iii. p. 844, ed. Venet.

circumstantial account of what had taken place to the Emperors Gratian, Valentinian II., and Theodosius, and prayed them to lend the aid of the secular arm for the actual deposition of the condemned, and the appointment of orthodox bishops in their stead. It should also be made an impossibility for the teacher of Attalus, Julianus Valens (perhaps Bishop Valens of Mursa), any further to disturb the peace of the Church, or to travel about from one town to another; and lastly, the Photinians should no longer be allowed to hold assemblies at Sirmium. In a third letter the Synod prayed the Emperors, especially the Emperor Gratian, to whose jurisdiction Rome belonged, to lend no ear to the anti-Pope Ursinus and his calumnies against Damasus.[1] Lastly, in a fourth letter, also addressed to the Emperors, the Synod interceded for Paul of Antioch and Timothy of Alexandria (against whom an opposition party had likewise arisen), and demanded that the Emperors should assemble a great Council at Alexandria to decide the disputes existing among the orthodox themselves.[2] Palladius and his friends were, of course, very dissatisfied with the result of this Synod. They complained that all had not been written down as they had spoken it; they brought accusations especially against Ambrose; protested afresh against being confounded with the Arians; and demanded that a new Council should be held at Rome.[3]

We still possess two letters of an Italian Synod to the Emperor Theodosius, about which it is doubtful whether they emanate from the Council at Aquileia just mentioned, or from one held somewhat later at Milan. The fact that S. Ambrose presided points to Milan. In the first of these letters the Latins justify their desire expressed at Aquileia for a great

[1] Cf. *supr.* p. 287.

[2] These letters are found in Ambros. *Epp. VI.* 10, 12, pp. 844, 849, 851, ed. Venet.; in Mansi, t. iii. pp. 615, 621, 623; Hardouin, t. i. pp. 835, 837, 838. On the Council of Aquileia cf. also Baunard (Canon at Orleans), *Gesch. des heiligen Ambrosius*, translated into German by Professor Bittl in Munich; Herder, 1873, pp. 174 sqq.

[3] We learn this from a codex at Paris, still unedited, employed by Waitz and Bessel, which contains, among other things, an anonymous letter to Ambrose (probably from Palladius), and fragments of a letter of the Arian Bishop Maximus. See Bessel, *Uber das Leben des Ulfilas*, etc., Göttingen 1860, pp. 2, 3, 6, 9; and Waitz, *Uber das Leben und die Lehre des Ulfilas*, Hanover 1870.

Synod, by which the schisms, especially that of the Meletians, should be extinguished, the erroneous doctrine of Apollinaris inquired into, and the Apollinarians themselves heard. And in the second letter to the same Emperor, the Synod complains that after the death of Meletius a new bishop had been chosen for Antioch, and that Paulinus was not universally acknowledged. This, it is added, was done by the advice of Nectarius of Constantinople, who was himself not a rightful bishop, as the episcopal chair of that city belonged to (the Cynic) Maximus;[1] also that Gregory of Nazianzus had been unlawfully made Bishop of Constantinople, and that all this had been done by those who had hindered a General Council from taking place. By this they mean the Eastern bishops at the second General Council, whom they accused of having held a local Synod consisting of Greeks only, notwithstanding the invitation to a General Council. In conclusion, they demand the restoration of Maximus to the See of Constantinople, and that a General Council of the Easterns and Westerns should be held at Rome.[2]

Sec. 102. *The Synods at Constantinople and Rome in* 382.

In accordance with the desire of the Synod of Aquileia, the Emperor Theodosius, soon after the close of the second General Council, summoned the bishops of his empire to a fresh Synod,—not, however, as the Latins had wished, at Alexandria, but at Constantinople. He also twice invited S. Gregory of Nazianzus, but he excused himself on account of weak health, and said that in his experience such assemblies promised very little good.[3] There were assembled here, in the beginning of the summer of 382, very nearly the same bishops who had been present at the second General Council. On their arrival at Constantinople, they received a letter from the Synod of Milan above mentioned, inviting them to a great

[1] Cf. *supr.* p. 359.

[2] Both letters are found in Ambros. *Epp. XIII., XIV.*, pp. 854, 858, ed. Venet.; in Mansi, t. iii. pp. 630, sq.; Hard. t. i. pp. 844, sq.; in German in Fuchs, *l.c.* pp. 560, sqq. The latest biographer of Ambrose, Baunard, *l.c.* p. 179, acknowledges that Ambrose was here mistaken.

[3] Gregor. Naz. *Epist. CXXX.* (*alias* 55) t. ii. p. 110, ed. Paris, 1842.

General Council at Rome. They did not, however, go there, because, as they say in the Synodal Letter, they had only made arrangements for a shorter journey, and were, moreover, only authorized by their colleagues to act at Constantinople, and it was no longer possible in the short interval allowed them to obtain fresh authority, and prepare for so distant a journey.[1] They remained, therefore, at Constantinople, and sent as an assurance of their friendship and unity of faith three bishops of their number, Syriacus, Eusebius, and Priscian, with a Synodal Letter to Pope Damasus, Archbishop Ambrose, and the other bishops assembled in Council at Rome. In this letter they first describe the numberless persecutions to which they and their Churches had been lately exposed under the Emperor Valens. They had now entered upon a better time, and their return to their Sees had become possible, yet even now the flock were still incessantly threatened by the wolves (the Arians). They proceed to excuse themselves for not being able to come to the Roman Synod, and affirm their adherence to the Nicene faith as being the oldest, and immediately connected with holy baptism (*πρεσβυτάτην οὖσαν καὶ ἀκόλουθον τῷ. βαπτίσματι*), saying: "By it we are taught to believe in the name of the Father, and of the Son, and of the Holy Ghost, and consequently in one and the same Godhead, power, and essence of the Father, the Son, and the Holy Ghost; and in the same dignity, and the same eternal dominion in three absolutely perfect hypostases, or three perfect Persons, so that neither can the heresy of Sabellius, which confounds the hypostases,—that is, does away with their separate personality, —find any room, nor the blasphemy of the Eunomians, Arians, and Pneumatomachians be admitted, which divides the Being, or the Nature, or the Godhead, and joins on to the uncreated Trinity, equal in being and eternity, a later born, created, or strange (*ἑτερουσίου*) nature." In view of the importance of this confession of faith, which was often erroneously ascribed to the Synod of Constantinople of about a year earlier—*i.e.* the second General Council—and which so far has an œcumenical character that, although only drawn up by the Eastern

[1] Theodoret, *Hist. Eccl.* v. 9; Mansi, t. iii. p. 582; Hard. t. i. p. 822, translated into German in Fuchs, *l.c.* pp. 424, sq.

Church, it yet confirms the *consensus fidei omnium orbis Ecclesiarum*,[1] it may be well to add the original text: διδάσκουσαν ἡμᾶς πιστεύειν εἰς τὸ ὄνομα τοῦ πατρὸς καὶ τοῦ υἱοῦ καὶ τοῦ ἁγίου πνεύματος, δηλαδὴ θεότητός τε καὶ δυνάμεως καὶ οὐσίας μιᾶς τοῦ πατρὸς καὶ τοῦ υἱοῦ καὶ τοῦ ἁγίου πνεύματος πιστευομένης, ὁμοτίμου τε τῆς ἀξίας, καὶ συναϊδίου τῆς βασιλείας, ἐν τρισὶ τελειοτάταις ὑποστάσεσιν, ἤτουν τρισὶ τελείοις προσώποις· ὡς μήτε τὴν Σαβελλίου νόσον χώραν λαβεῖν, συγχεομένων τῶν ὑποστάσεων, ἤγουν τῶν ἰδιοτήτων ἀναιρουμένων· μήτε μὲν τὴν τῶν Εὐνομιανῶν καὶ Ἀρειανῶν καὶ πνευματομάχων τὴν βλασφημίαν ἰσχύειν, τῆς οὐσίας ἢ τῆς φύσεως ἢ τῆς θεότητος τεμνομένης, καὶ τῇ ἀκτίστῳ καὶ ὁμοουσίῳ καὶ συναϊδίῳ τριάδι μεταγενεστέρας τινὸς ἢ κτιστῆς ἢ ἑτερουσίου φύσεως ἐπαγομένης. This confession speaks also very strongly and correctly of the Incarnation: "We also hold unchanged the doctrine of the Incarnation of the Lord, not allowing the economy of the flesh to be either without soul or without reason, or imperfect, acknowledging the Logos of God perfect from eternity, and who for our salvation in the last times became perfect Man" (καὶ τὸν τῆς ἐνανθρωπήσεως δὲ τοῦ κυρίου λόγον ἀδιάστροφον σώζομεν, οὔτε ἄψυχον οὔτε ἄνουν ἢ ἀτελῆ τῆς σαρκὸς οἰκονομίαν παραδεχόμενοι· ὅλον δὲ εἰδότες τέλειον μὲν ὄντα πρὸ αἰώνων θεοῦ λόγον, τέλειον δὲ ἄνθρωπον ἐπ' ἐσχάτων τῶν ἡμερῶν διὰ τὴν ἡμετέραν σωτηρίαν γενόμενον). "Further details on this matter," continue the Greeks, "the Latins might see from the Tome of the Antiochian Synod of 378,[2] and from the Tome which the General Council of Constantinople (381) drew up the year before." Lastly, the Greek Fathers seek to justify, by appealing to a canon of Nicæa,[3] the elevation of Nectarius to the See of Constantinople, and Flavian to the See of Antioch, adding that they recognise

[1] Kuhn, *Dogmatik*, part ii., *Trinitätslehre*, Tübing. 1857, p. 419.

[2] See above, pp. 360, sq.

[3] It is a disputed point whether the Synod here had in view the fourth canon of Nicæa, or the sixth canon of Sardica, and designated the latter as Nicene. We have already, at pp. 133-4, treated in detail of this, and shown that the Fathers of Constantinople quoted the sixth canon of Sardica, which they held to be Nicene (see vol. i. pp. 356 sq.), but in a text which, though differing somewhat from ours, is indeed the original and correct one, and which answers to an old Latin translation (in a Veronese codex) still extant.

S. Cyril as Bishop of Jerusalem, and pray the Westerns for their cheerful consent.[1]

Finally, the Synod of Constantinople of 382 also drew up at least two canons, which have been erroneously adopted as the fifth and sixth canons of the second General Council, and of which we have already spoken.[2]

The Roman Synod, to which the Easterns addressed the Synodal Letter, was the fifth held under Damasus, and, besides the Pope, there were present the Bishops Ambrose of Milan,[3] Britton (perhaps of Trèves), Ascholius of Thessalonica, Anemius of Sirmium, Basil (whose See is unknown), and several others. S. Jerome, S. Epiphanius (Bishop of Salamis in Cyprus), the Eustathian Bishop Paulinus of Antioch, and the three deputies of the Synod of Constantinople, were also there.[4] No acts of this assembly have come down to us, and we have but few certain accounts of its proceedings. Its principal result is said to have been the condemnation of the Apollinarian heresy. Also, by the wish of Pope Damasus, Jerome had to compose a confession of faith, which the Apollinarians were to sign, if they desired to return to the Church, and which spoke of Christ as *Homo Dominicus*.[5] Besides this, the Synod is said to have excommunicated Bishop Flavian of Antioch, and the two Bishops who consecrated him, Diodorus of Tarsus, and Acacius of Berœa, but, after having received more accurate information, to have no longer supported the Cynic Maximus.[6]

Sec. 103. *Synod of Constantinople in* 383.

The continued efforts of the Arians and Pneumatomachians to spread their doctrines, in spite of the ecclesiastical and

[1] Theodoret, Mansi, Hardouin, Fuchs, *ll.cc.*

[2] See above, pp. 360, sqq.

[3] Ambrose had hardly arrived at Rome when he was taken ill, and was confined to his room for months, so that he could not take part in the business of the Council. Cf. Baunard, *Gesch. des hl. Ambrosius*, etc., pp. 181 sqq.

[4] Cf. the letter of the Synod of Constantinople in Theodoret, *l.c.*, and Jerome, *Ep.* 86, *ad Eustoch.* n. 6 (in Vallarsi, *Ep.* 108).

[5] Rufin. *De Adulterat. Libr. Origin.* in t. v. *Opp. S. Hieron.* p. 253, ed. Bened. (not received by Vallarsi and Migne).

[6] Sozom. vii. 11 ; Bower. *Gesch. der Päpste*, part i. p. 333.

imperial prohibitions, led the Emperor Theodosius in 383 to summon the bishops of the different parties to a great assembly, in the hope, perhaps, thereby of also securing their dogmatic union.[1] This Synod took place in June 383, under the consuls Merobaudes II. and Saturninus; and before the actual proceedings began, the Emperor communicated to the Bishop Nectarius of Constantinople his intention that those assembled should discuss the differences of faith. Nectarius, disturbed at this, consulted the Novatian Bishop Agelius, who agreed with him in doctrine, and was held in high esteem on account of his personal piety. Agelius did not feel himself quite qualified for such a disputation, but he had a very clever reader Sisinnius, who possessed great eloquence, and was in the highest degree skilled in theology and philosophy, and to him he desired to entrust the disputation with the Arians. Sisinnius was, however, of opinion that peace was not to be obtained thus, but that, on the contrary, it might only increase the divisions; and this he stated also before Nectarius, adding that, instead of disputing, it would be better to produce the testimonies of the old Fathers of the Church on the doctrine of the Son, and first of all to ask the heads of the several parties whether they accepted these patristic testimonies, or whether they desired to anathematize the Fathers from whom they emanated. A presumption of this sort would be followed by their own rejection on the part of the people; but if they declared themselves ready to accept these testimonies, it would then be the duty of the orthodox to produce their proofs from the Fathers.[2]

Nectarius imparted this to the Emperor, and he gladly agreed to the plan. When, therefore, the bishops of the different parties appeared, he put this question to them: Did they respect the teachers who had lived before the Arian division? They answered in the affirmative; and he then put the second question: Did they also acknowledge them to be sound and trustworthy witnesses of the true Christian doctrine? Concerning the answer to this, however, divisions arose, not only between the different parties, but even among

[1] Socrat. v. 10; Sozom. vii. 12.

[2] Socrat. and Sozom. *ll.cc.*; Mansi, t. iii. pp. 643, sqq.

members of the same party, and it was evident that the sectaries were only determined upon having a disputation. This displeased the Emperor in the highest degree, and he now ordered that each party should draw up a written confession of its faith. When the best qualified man of each party had done this, the bishops were summoned on a certain day to the Imperial palace, Nectarius and Agelius as the heads of the orthodox, Demophilus (formerly Bishop of Constantinople) as representative of the Arians, Eleusius of Cyzicus on the side of the Pneumatomachians, and Eunomius as spokesman of the Anomœans. The Emperor received them with kindness, took from them their written confessions, and retired with these into an apartment, where he prayed God for enlightenment, and rejected and destroyed all of them except the orthodox one, because they introduced a division in the Holy Trinity.[1]

Of these creeds, only that of Eunomius has come down to us, which is found in several old manuscripts of the works of Gregory of Nyssa against Eunomius,[2] and was first given to the press by Valesius,[3] and afterwards by Mansi.[4] Here Eunomius very openly and emphatically stated his doctrine, called only the Father God, and placed the Son among the creatures as the First-born of all creation, denying His participation in the Divine Being and the Divine Glory. The Holy Ghost he placed still lower, as created (*γενόμενον*) through the Son, and subject to the Son in everything, but higher than all (other) creatures, the greatest, best, and most beautiful creation of the Only-begotten. In conclusion, Eunomius threatened his opponents with the judgment of God.

When the sectaries saw the resolute conduct of the Emperor, they sorrowfully returned home, and endeavoured by letters to their adherents to comfort them, chiefly as to the fact that so many now went over to the Nicene faith, and deserted their party. For, they observed, there were many called, but few chosen.[5] Socrates adds that, when the majority of the people, from fear of authority (under Constan-

[1] Socrat. and Sozom. *ll.cc.*

[2] It is at least very probable that the creed of Eunomius, still extant, is that of the year 383.

[3] In his notes on Socrates v. 10.

[4] Mansi, t. iii. pp. 646, sqq.

[5] Socrat. v. 10.

tius and Valens), were still on their side, they had used very different language. The Emperor now, however, forbade all sectaries, excepting the Novatians,—who, on account of their conduct at the Synod, were allowed to retain possession of their churches,[1]—to hold divine service anywhere for the future, or to publish their doctrines, or to ordain clergy, etc., and threatened them also with severe civil punishment;[2] not, as Sozomen affirms, with the intention of really carrying out these threats, but to frighten them, and thus make them more desirous of unity.

Lastly, at this Synod the Antiochian schism also came again under discussion, and unfortunately on this subject no agreement could be attained among the orthodox themselves, as the bishops of Egypt, Arabia, and Cyprus recognised Paulinus as the rightful bishop, and demanded the banishment of Flavian, while those of Palestine, Phœnicia, and Syria were in favour of the latter.[3]

Sec. 104. *Synods at Bordeaux (Burdigalensis) in* 384, *and at Trèves in* 385.

Notwithstanding the censure pronounced by the Synod of Saragossa in 380 on Priscillianism,[4] the adherents of that heresy by the use of bribery still secured the powerful protection of several high officers of State, and through them of the Emperor Gratian himself,[5] so that their chief opponents and accusers, the two Spanish bishops Idacius and Ithacius, were persecuted in various ways, and even driven away. But, on the 25th August 383, Gratian was murdered at Lyons, and Maximus, who had before been general, made himself Emperor of the West. When, in the beginning of the year 384, he came to Trèves, Ithacius laid before him a complaint against Priscillian and his adherents, upon which he commanded the sectaries to be brought before a Synod at Bordeaux. This was done, and Instantius, the second leader of the Priscillianists, was the first to speak in their defence,

[1] Socrat. v. 10; Sozom. vii. 12.
[2] Sozom. vii. 12.
[3] Socrat. v. 10.
[4] Cf. *supr.* pp. 292, sq.
[5] Cf. Bernays *On the Chronicle of Sulpicius Severus*, Berlin 1861, pp. 8, 9.

but with so little success that the Synod declared him to be unworthy of his office. Fearing the same usage for himself, Priscillian refused to acknowledge the competence of the Synod, and appealed to the Emperor,[1] whereupon both accusers and accused were brought to the Imperial Court at Trèves.

S. Martin of Tours, who was there just then, blamed the passionate conduct of Ithacius, and begged the Emperor to shed no blood, not even that of the guilty, but to rest satisfied with the judgment of the bishops pronouncing them heretics; the more so, as it was something quite new and unheard of for a secular judge to take cognisance of an ecclesiastical matter. The Emperor paid regard to these representations, but Ithacius was so furious that he wished to bring S. Martin under suspicion of heresy, as he also in his fanaticism charged many who fasted and prayed much with Priscillianism. When S. Martin had again left Trèves, the Emperor allowed himself to be induced by Ithacius and two other bishops, Magnus and Rufus, after an investigation conducted by Evodius, the prefect of the Gauls, to have Priscillian and his clergy, Felicissimus and Armenius, beheaded, as well as his friend the learned Euchrocia, widow of the rhetor Delphidius of Bordeaux, and some others, while Instantius and other Priscillianists were banished, some to Gaul, and some to the island Sylina, on the coast of Britain.[2]

The Synod at Trèves in 385 sanctioned the conduct of Ithacius, which was blamed by many, and induced the Emperor Maximus to take still further steps against the Priscillianists,

[1] Bernays concludes from this appeal to the Emperor, that in the accusation against Priscillian not only had "causes of faith and morals" been dealt with, but also points of accusation which legally formed the basis of a criminal case. The accusations were (1) of "maleficium," *i.e.* sorcery, magic, and the like (because Priscillian had occupied himself with the so-called Zoroastrian and other books of magic, from which he derived his comparison of the parts of the human body with the signs of the zodiac); and (2) concerning nightly assemblies for prayer, which had only recently been forbidden by Valentinian I. Accordingly, as Bernays, in opposition to the general view, strongly insists, Priscillian and his adherents were not executed for heresy.

[2] This is all told by Socrates at the conclusion of his *Historia Sacra*, t. vi. p. 348 of the *Biblioth. Max. PP.*, Lugd. 1677; cf. Lübkert. *De Hæresi Priscillianistarum*, Hafniæ 1840, pp. 67, sqq.; and Mandernach, *Gesch. des Priscillianismus*, Trèves 1851, pp. 28, sqq.

so that he resolved upon sending special commissioners to Spain, and punishing all these sectaries with confiscation of property and death. At this time, S. Martin of Tours came again to Trèves for the purpose of interceding for some former servants of the late Emperor (Gratian), who had been condemned to death.[1] At the same time, he besought the Emperor not to send the commissioners into Spain, and held aloof entirely from the Ithacian Synod which he had just assembled. When, however, the Emperor threatened to have all those for whom Martin had interceded put to death, if he did not immediately take part in the Synod, the saint yielded, and appeared at the assembly just when it was in the act of appointing Felix, who according to Sulpicius Severus was a very worthy man, Bishop of Trèves.[2] On this, the Emperor promised not to send the officers to Spain; but S. Martin returned the next day to Tours, grieved to have been obliged to hold communion with the Ithacians, even though only for one day, and from that time he was never again present at any Synod.[3]

Sec. 105. *Synods at Rome in* 386, *and at Telepte or Zelle about* 418.

We learn from a Synodal Letter of Pope Siricius to the bishops of Africa, that, in January 386, a Synod at Rome consisting of eighty bishops re-enacted various older laws of the Church;[4] for instance:—

(1.) No consecration (of a bishop) shall take place without the consent of the Apostolic See, *i.e.* the primate.[5]

(2.) As has already been ordered in the fourth canon of

[1] [Narses and Leucadius.]

[2] Just at that time, from 384 to 398, we meet with a Felix in the old catalogues of the Bishops of Trèves. Cf. Binterim, *Deutsche Concilien*, vol. i. p. 282.

[3] This is also related by Sulpicius Severus in his *Dialog.* iii. n. 15, p. 369 of the *Biblioth. Max. l.c.*; cf. Mansi, t. iii. pp. 679 sqq. [On the subject of S. Martin and the Priscillianists, see Newman's *Hist. Sketches*, vol. iii. pp. 195, sqq.]

[4] Printed in Hardouin, t. i. p. 858; Mansi, t. iii. p. 670; and in the Ballerini edition of the works of Leo, t. iii. p. 448.

[5] Cf. below, pp. 387, sq.

Nicæa, no single bishop shall take upon himself to consecrate another.

(3.) He who after baptism has served in war, may not become a cleric.

(4.) A cleric (of the lower orders) may not marry a widow.

(5.) He who, as a layman, has married a widow, may not be received among the clergy.

(6.) No one may ordain one belonging to another Church.

(7.) A deposed cleric may not be admitted into another Church.

(8.) Those who come over from the Novatians or Montenses[1] shall be received back by imposition of hands only, because they rebaptize.

The Council of Nicæa, in its eighth canon,[2] lays down a similar rule, according to which the present one must be understood thus: "If Novatian clergy"—for it is of clergy and not of laymen that the preceding canon treats—"wish to enter the Church, they must not be actually re-ordained, but they must nevertheless receive a fresh imposition of hands, after the manner of laymen who have been baptized by heretics." *Ex eo quod rebaptizant*, is given as a reason for this. The Ballerini conjecture the right reading to be *præter eos, quos rebaptizant*, taking as their authority for this Pope Innocent I., who re-enacted this rule nearly word for word, and thus understood the short sentence in question: *præter eos si qui forte a nobis ad illos transeuntes rebaptizati sunt.*[3]

(9.) Finally, we advise (*suademus*) that the priests and Levites should not live with their wives.

The Synodal Letter of Pope Siricius, which contains these nine canons, has only been preserved to us by an African Synod (at Tele) of the beginning of the fifth century (probably of the year 418), where it was read.[4] Many doubts were, however, raised about its genuineness, especially by

[1] The Novatians were also called Montenses, perhaps because confounded with the Montanists. Cf. my treatise on the Novatian schism in the *Kirchenlexicon* of Wetzer and Welte, vol. vii. pp. 662, sq.

[2] See vol. i. p. 409.

[3] In their ed. of Leo's works, t. iii. p. 450, note 28, given in Hard. t. i. p 1061; Mansi, t. iii. p. 1034.

[4] Hard. t. i. p. 1235; Mansi, iv, p. 379.

P. Quesnel[1] and Bower,[2] while it is maintained by Coustant,[3] Remi Ceillier,[4] and above all by the Ballerini.[5]

(*a*) It is true that the African Synod, where this instruction of Siricius was re-enacted, could not, as the greater number of codices state, have taken place at Tele, for Tele is in proconsular Africa, and the bishops present at the Synod belonged to the Byzacene province. But some very good codices read *Concilium Teleptense*, which agrees very well, as Telepte was the metropolis of the Byzacene province. Remi Ceillier therefore decided in favour of this reading. But the Ballerini, on the other hand, endeavoured to show, by appealing to critical authorities, that *Zellense* should be read, and that Zelle was a city of the Byzacene province. It is true that the letters T and Z were often confounded by the Africans; but whether the Ballerini or Remi Ceillier are right, Quesnel has in any case been too hasty in inferring the spuriousness and falsehood of the whole matter from the word *Tellense*.

(*b*) It is true that in the letter of Pope Innocent I. to Bishop Victricius of Rouen, part of the same text is found as in the Synodal Letter of Siricius.[6] But it does not follow from this that the latter is spurious, for, as Hincmar of Rheims rightly observed, *Hic est enim mos Apostolicæ Sedis pontificibus, ut verba decessorum suorum quasi propria in suis ponant epistolis.*[7]

(*c*) It has been again objected that, in the ninth canon of the letter of Siricius, the celibacy of the priests is only advised, while at the time of Siricius it had already become a law, and was strictly enforced by him in other places as such.[8] But the *suademus* of the Latin text not only means, "We advise that to be done which is not commanded," but may also mean, "We entreat and exhort you to follow that which is commanded," just as the preacher often exhorts and advises men to observe the laws of God.

[1] In the second volume of his edition of the works of S. Leo; also printed in the Ballerini edition, t. iii. p. 962.

[2] In his *History of the Roman Popes*, vol. i. p. 366.

[3] *Epist. Pontif.* t. i p. 643.

[4] Remi Ceillier, t. v. p. 684.

[5] Ballerini, *l.c.* pp. 986–1011.

[6] In Mansi, t. iii. p. 1032; Hard. t. i. p. 999.

[7] Hincmari, *Opp.* t. ii. p. 461.

[8] In Mansi, t. iii. p. 658; and Hard. t. i. p. 849.

(*d*) Lastly, the contents of the first canon in this document, which ascribes the confirmation of all elections of bishops to the Pope, forms no ground for assuming its spuriousness.

Several codices declare that the Synodal Letter of Siricius was an encyclical, and by no means addressed only to the Africans.[1] It was natural that the original copy, which was intended primarily for the Italian bishops, should contain the rule that "no bishop should be appointed without the consent of the Apostolic See;" for this was the established rule of the Church. But, for other countries, the text had to be accommodated to the laws there prevailing. Thus, *e.g.*, Pope Innocent I. in his letter to Victricius of Rouen changed the rule of Siricius to this, *Ut extra conscientiam metropolitani episcopi nullus audeat ordinare.*[2] In Africa, however, the title of metropolitan did not exist, but there were instead primates or bishops *primæ sedis;*[3] and for this reason probably, in the copy of the epistle of Siricius belonging to the Africans, the expression *primatis* was first inserted either by Siricius himself or by them.[4]

Sec. 106. *Synods at Antioch, Sida, and Carthage.*

Formerly, the Synod of Nîmes was generally placed in this same year, 386, or in 389; recently, however, it has been shown to belong to the year 394, and therefore we shall have to speak of it later.

Sozomen speaks further of an Antiochian Provincial Synod of 388 or 389, which forbade the sons of S. Marcellus to revenge their father's death upon the heathen.[5] Marcellus, Bishop of Apamea in Syria, by the desire of the Emperor Theodosius, had several heathen temples destroyed, and upon one of these occasions he was thrown into the fire by the enraged heathen at Aulon, on this account.[6]

At about the same time (according to others, in 390), it is

[1] Cf. note 14 of the Ballerini on the heading of the Synodal Letter, *l.c.* p. 448.

[2] In Mansi, t. iii. p. 1033; Hard. t. i. p. 1000.

[3] See below, p. 395, note 7, and vol. i. pp. 162, 174.

[4] Cf. Ballerini, *l.c.* p. 449, not. 25.

[5] Sozom. vii. 15.

[6] Sozom. vii. 15; Theodoret, v. 21.

said that another small Antiochian Synod under Flavian, and a somewhat larger Synod of twenty-five bishops at Sida in Pamphilia, under Amphilochius of Iconium, condemned the heresy of the Massalians, and excommunicated them.[1] The existence of these two Synods is, however, doubtful.[2]

Two Synods at Carthage of 386 or 389, and 387 or 390,[3] the first of which was only an introduction to the second, were of no great importance. From the latter only have any acts come down to us, and thence alone do we obtain any information about the Synod held in the previous year. The second Synod, under Bishop Genethlius of Carthage, has left thirteen canons:[4]—

Can. 1 (in reality the introduction to the whole rather than an actual canon) declares the orthodox doctrine of the Trinity.

Can. 2 binds bishops, priests, and Levites to abstain from their wives.

Can. 3. Priests may not undertake the consecration of the chrism, the benediction of virgins (nuns), or the reconciliation of penitents.

Can. 4. Only when the bishop is hindered, may a priest with his permission undertake the reconciliation of a penitent.

Can. 5. If a district has hitherto had no bishop, neither shall it have one in the future. But where a bishop has hitherto been, there also shall one be in the future.

Can. 6. Persons of evil repute shall not be allowed to appear as accusers of bishops and priests.

Can. 7. Whoever receives into his Church one excommunicated elsewhere shall himself be excommunicated.

Can. 8. If a priest has been excommunicated or punished

[1] Photius, *Biblioth. Cod.* 52. Theodoret (iv. 11) indeed speaks with tolerable distinctness of the zeal of Flavian and S. Amphilochius against the Massalians, but without mentioning that Synods had been held. Cf. also Tillemont, *Mémoires*, t. viii.; the treatise, *Les Massaliens*, and the appended note, ii. p. 225, and p. 352, ed. Brux. 1732.

[2] Fabricii *Bibl. Græca*, vol. xi. p. 387.

[3] So says Marca in his *Dissert. de Veter. Collect. Canonum*, c. 5 (in the appendix to his *Concordia Sacerd. et Imper.*); and Mansi, t. iii. p. 687. The list of the consuls in the Synodal acts is damaged by a clerical error.

[4] In Hardouin, t. i. p. 951; Mansi, t. iii. pp. 691, sqq. and pp. 867, sqq.; in German in Fuchs, *Bibl. der Kirchenvers.*, vol. iii. pp. 42, sqq.

by his superior, he can complain to the neighbouring bishops (*apud vicinos episcopos conqueri*), that they may hear his affair (appeal), and reconcile him again to his bishop. If he does not do this, but from pride separates himself from the communion of his bishop, occasions a schism, and offers the sacrifice, he shall lose his post and incur anathema. He must also be far removed from the place where he has hitherto lived, that he may not mislead the simple.

Can. 9. If a priest officiates anywhere without the permission of the bishop (*agenda voluerit celebrare*), he shall be deprived of his dignity.

Can. 10. A bishop can only be judged by twelve bishops, a priest by six, a deacon by three bishops (besides his own).[1]

Can. 11. No bishop may interfere in another diocese.

Can. 12. No new bishop may be appointed without the consent of the primate.

Can. 13. If a bishop violates these rules, which he himself has subscribed, he shall be shut out (deposed).[2]

Sec. 107. *The Synods at Rome and Milan in* 390.

These Synods were occasioned by Jovinian and his heresy. Jovinian was a monk, whether at Milan or elsewhere is uncertain, and had for a considerable time practised great ascetic severity. But about 388 he approached nearly the same views concerning good works as Luther, and taught (1) that virginity, widowhood, and married life were equally meritorious; (2) also that fasting was not more meritorious than eating, provided the latter was done with thanksgiving; (3) that all who with full faith were born again in baptism, could not be overcome by the devil; (4) that all who are saved by the grace of baptism may expect an equal reward in heaven (a consequence of the former views, *i.e.* that there are no different degrees of moral virtue); lastly, (5) that Mary indeed conceived Christ as a virgin, but did not bear Him as

[1] See below, pp. 396, sq.

[2] Baronius and Justellus have attacked the genuineness of this Council, but Peter de Marca (*De Vet. Collect. Canonum*, c. 5, n. 2 sqq.) and Pagi (*Crit. ad Ann.* 387, n. 26) have defended it.

a virgin, for through child-bearing her virginity ceased; for otherwise we must say, with the Manicheans, that the body of Christ was not real, but only appeared so. He, in fact, accused the orthodox of the Manichean and Docetic errors.

In conformity with this doctrine, Jovinian changed his former ascetic life for one of easy luxury, and endeavoured to spread his errors partly by books and partly by other methods of proselytism. For this purpose he repaired under Pope Siricius to Rome, and persuaded several consecrated virgins and ascetics to marry, asking them: "Are you better than Sarah, Susanna, Anna, and many other holy women and men of the Bible?" He could not, however, draw any priests to his side; nay, several illustrious laymen, especially Pammachius, well known through the Letters of S. Jerome, came forward against him, and demanded of Pope Siricius the condemnation of the heretic. Upon this Siricius, in 390, assembled his clergy at a Synod, and declared the doctrine of Jovinian to be contrary to the Christian law, and therefore that the leading teachers of the error—Jovinian, Auxentius, Genialis, Germinator, Felix, Plotinus, Martianus, Januarius, and Ingeniosus—were by divine sentence and the judgment of the Synod condemned and expelled from the Church. At the same time, the Pope sent three priests, Crescens, Leopard, and Alexander, with this decision to Milan to inform S. Ambrose, who had already come forward as a very zealous opponent of Jovinian, of what had taken place, and to invite his consent.[1]

Ambrose now, without delay, held a Provincial Synod at Milan, which in its Synodal Letter (without doubt the work of Ambrose, and still extant) highly praised the Pope for his care of the Church, gave a short explanation of the errors of Jovinian and the orthodox doctrine opposed to them, and also itself anathematized those persons who had been condemned at Rome.[2]

The same Milanese Synod also very probably, in accordance with Siricius, declared against the Ithacians and rejected

[1] The letter of Siricius in question is found in Hard. t. i. p. 852; and Mansi, t. iii. p. 663.

[2] Hard. t. i. p. 853; Mansi, t. iii. pp. 664, sqq.

Bishop Felix of Trèves,[1] who had been appointed by them, though he was personally a very worthy man. We do not, indeed, possess any original documents concerning this; but the Synod held only a few years later, at Turin, speaks in its sixth canon of letters issued by Ambrose and the Pope against Felix.[2]

Sec. 108. *Synod at Capua in* 391.

In 391, according to Tillemont's reckoning,[3] the not unimportant Synod of Capua was held, which is called by the ancients *plenaria*.[4] Its chief object was to be the termination of the Meletian schism. Paulinus, one of the two orthodox Bishops of Antioch, had died in 388; but in order that the schism should not die out, he had first appointed as bishop for his small community the priest Evagrius, although it had long been forbidden by the canons that a bishop should himself nominate his successor. Besides this, Evagrius, in violation of another ancient rule of the Church, was not consecrated by three bishops. Opposed to him on the other side was Bishop Flavian, the successor of Meletius, whose appointment also, as we have seen,[5] was not quite regular. These circumstances prompted the Emperor Theodosius, upon his return to Constantinople from the West (in 391), to consider some means for the removal of the schism, and he therefore proposed to Bishop Flavian, who stood in high favour with him, and whom he had sent for to Constantinople, to appear in person at the Synod at Capua, where the whole matter should be impartially investigated. Flavian excused himself on account of the winter, which was already setting in, and thus satisfied the Emperor; the Synod of Capua would not, however, decide definitely in the absence of both parties, but entrusted the *jus cognitionis* to Archbishop Theophilus of

[1] See above, p. 385.

[2] Hard. t. i. p. 959; Mansi, t. iii. p. 862.

[3] Tillemont, *Mémoires*, t. x., note 41, *Sur St. Ambroise*, p. 324, ed. Brux. 1732. Mansi also agrees with this reckoning, t. iii. p. 686.

[4] Thus in the *Codex Canonum Ecclesiæ Afric.* n. 48, in Hard. t. i. p. 886; Mansi, t. iii. p. 738.

[5] See above, p. 346.

Alexandria and his suffragans, because they had remained neutral, and had not sided with either party. Thus relates S. Ambrose in his letter to Theophilus,[1] from which we also learn that this attempt at a pacification did not produce the desired result.[2]

The second matter which occupied the Synod of Capua was the erroneous doctrine of Bishop Bonosus of Sardica,[3] who had denied the perpetual virginity of Mary, and maintained that she had borne several sons besides Jesus. The Synod came to a similar decision as with regard to the Meletian schism, and entrusted the fuller examination and decision of the affair of Bonosus to his neighbours, the bishops of Macedonia, under the presidency of the Archbishop of Thessalonica. Further details are not known, for the only authority on this is a short letter from an unknown person which is appended to another letter, probably written by Ambrose.[4]

Finally, the Synod of Capua also published several rules of discipline, of which the *Codex Canonum Ecclesiæ Africanæ* mentions the following: "No one may be a second time baptized, or a second time ordained, and bishops shall not be translated from one See to another."[5]

Sec. 109. *Synod at Hippo in* 393.[6]

Of considerably greater importance was the great African Synod which took place in 393 at Hippo Regius, the first of

[1] Ambrosii *Epist. LVI.* t. iii. p. 1089, ed. Venet. Cf. Baunard (canon at Orleans), *Gesch. des hl. Ambrosius*, German Trans. by Bittl, Freibg. 1873, p. 347.

[2] For a further account of the Meletian schism and its termination, see my treatise concerning it in the *Kirchenlexicon* of Wetzer and Welte, vol. vii. p. 45.

[3] That this Bonosus was meant appears from the letter (of Ambrose) to be quoted in the following note, and it is very well proved by Remi Ceillier, *Hist. Générale des Auteurs Sacrés*, etc., t. v. p. 709.

[4] The Benedictines suppose this letter, although in it the passage *frater noster Ambrosius* occurs, to be composed by Ambrose himself in the name of a Synod which took place somewhat later than that of Capua. Lucas, Holstenius, and others ascribe it to Pope Siricius. Cf. note b of the Benedictines on *S. Ambros. Opp.* t. iii. p. 1091, ed. Venet.

[5] *Cod. Can. Eccl. Afric.* n. 48, in Hard. t. i. p. 886; Mansi, t. iii. p. 738.

[6] What Ferdinand Ribbeck, in his work, *Donatus und Augustinus* (Elberfeld, 1858, pp. 238, sqq.), says concerning the Synod of Hippo is necessarily wrong in many points, because the critical researches of the Ballerini were quite unknown

those numerous and renowned assemblies of the Church at which Aurelius, Archbishop of Carthage since the year 391, presided. Besides him, very many other bishops of different provinces in Africa were present, so that Possidius, in his Life of S. Augustine, called this Synod a *plenarium totius Africæ Concilium*.[1] He adds, that at the desire of the bishops, S. Augustine, then still a priest at Hippo, delivered before the Synod his discourse *De Fide et Symbolo*, which is preserved to us in his work bearing the same title. The Byzacene metropolitan, Musonius, however, who was probably himself present at this Synod, explained its object by saying that "it had effected a salutary amendment of discipline."[2]

The complete acts of the Synod have been lost, but we still possess its heading, which runs thus: "*Gloriosissimo Imperatore Theodosio Augusto III. et Abundantio viris clarissimis consulibus, VIII., Idus Octobris, Hippone Regio in secretario Basilicæ Pacis.*"[3] We see hence that the Synod was held on October 8, 398, in the *Secretarium* of the Basilica of Peace at Hippo Regius. These words are found in the *Codex Canonum Ecclesiæ Africanæ*,[4] as a later African Synod had all the canons of the Council held under Aurelius read again. But unfortunately Dionysius Exiguus, who collected these African canons, inserted only the heading of the acts of Hippo, and not the canons.[5]

For further particulars concerning the Synod of Hippo we are, however, indebted to the third Carthaginian Synod in 397. To this Synod the bishops of the Byzacene province were also invited; they, however, contented themselves with sending their declaration in writing to the primate, Aurelius of Carthage, adding to this letter an abridgment (*breviatio* or *breviarium*) of the canons of Hippo, and expressing a desire for their renewal. The third Synod of Carthage granted this

to him, and he had not even an available text of the abbreviated statutes of Hippo.

[1] Possidius, *Vita Augustini*, c. 7.

[2] In his Synodal Letter in Mansi, t. iii. p. 893; Hard. t. i. p. 969.

[3] In Mansi, t. iii. p. 732; Hard. t. i. p. 882.

[4] In Hardouin and Mansi, *ll.cc.*

[5] He says: "Gesta hujus Concilii ideo descripta non sunt, quia ea, quæ ibi statuta sunt, in superioribus probantur inserta." Hardouin and Mansi, *ll.cc.*

wish, and had this abridgment of the canons read out.[1] Through it we learn the chief contents of the canons of Hippo;[2] but the real text of this *breviatio* was itself very doubtful, until the Ballerini, by the use of extremely ancient and excellent codices, succeeded in restoring its original form.[3]

This abridgment contains in the first line a Latin version of the Nicene Creed (without the additions of Constantinople), which was published anew and approved by the Synod at Hippo.[4] Then follow first four, and then thirty-nine abridged canons of Hippo, so arranged that they form two distinct collections. The second series has even a heading of its own, *Incipit brevis statutorum*, but these words are a later addition, and both alike belong to the same Synod of Hippo.[5]

The four first canons run thus:[6]—

1. All African provinces shall be guided by the Church of Carthage with regard to the feast of Easter, concerning which an error has arisen.

2. The Bishop Cresconius of Villa Regis shall be content with his Church, and shall not lay claim to the See of Tubunæ; and, in general, no one shall assume rights over another diocese.

3. Mauretania Sitifensis may have a primate of its own.[7]

4. As the bishops of the first Sees (*primæ sedes*) agree, the primates of the other provinces also shall, if disputes arise, be appointed in accordance with the advice of the Bishop of Carthage.

[1] Cf. the declaration of the third Council of Carthage in Mansi, t. iii. pp. 915 and 733; Hard. t. i. p. 882, after c. 33 in the *Cod. Canon Eccl. Afric.*

[2] The objections raised against this, for instance, by Remi Ceillier (t. x. p. 665), were removed by the Ballerini in their edition of the works of Leo I., t. iii. pp. 78, sqq., printed in Mansi, t. iii. pp. 909, sqq.

[3] In vol. iii. of the works of Leo, p. 88; in Mansi, t. iii. p. 917. The earlier inaccurate text is found in Hard. t. i. p. 971; Mansi, t. iii. p. 894.

[4] That this creed really belonged to the Synod of Hippo is shown by the Ballerini, *l.c. Præfat.* p. 80, sec. 3.

[5] *S. Leonis M. Opp.* ed. Ballerini, t. iii. p. 90, note 30; in Mansi, t. iii. p. 932, n. 30.

[6] In Mansi, t. iii. p. 917.

[7] It had hitherto belonged to the Numidian primacy. Cf. No. 17 in the *Codex Can. Eccl. Afric.*, and Van Espen, *Comment. in Canones*, etc., p. 315. Moreover, according to the African usage, "primas" is identical with "primae sedis episcopus" or "senex." While in other provinces the bishop of the civil

The second series contains the following:[1]—

1. The readers may not pronounce the form of salutation to the people.[2] No one may be ordained, nor any virgin consecrated, under twenty-five; only persons well instructed in the Holy Scriptures shall be promoted to the clerical office.

2. The Synodal laws shall be enjoined upon the bishops and clergy.

3. During the holy days of Easter the catechumens shall have nothing consecrated (*sacramentum*) given them except the customary salt, *quia si fideles per illos dies sacramentum non mutant, nec catechumenos oportet mutare* (*i.e.*, as in the days of Easter the faithful only bring for consecration the customary wine and bread, not honey, milk, etc., so also there shall be no change with regard to the catechumens).

4. The Eucharist shall not be given to dead bodies, nor baptism conferred upon them.

5. Every year a Council shall take place, to which all ecclesiastical provinces shall send their deputies. But from Tripolis one only need come, on account of the poverty of its bishops.

6. A bishop must be accused before the primate of the province, and he may not be suspended without further proceedings, unless, having been summoned by the primate, he has not appeared within a month.

7. But if the accused will not appear at the annual *Concilium Universale* (the African General Council), he is excommunicated, and may not communicate even in his own diocese.[3] The same punishment is incurred by the accuser if, when summoned to prove his charge, he does not appear.

8. If a priest is accused, the bishop, with five neighbouring

metropolis was also the head of the ecclesiastical province, and therefore called metropolitan, in Africa the arrangement was that the bishop who had been longest consecrated was head of the province, and his See called *prima sedes* (cf. vol. i. pp. 162, 174; Marca, *De Primatibus*, pp. 10 sq., in the Appendix to *De Concord. Sacerd. et Imperii;* and Van Espen, *l.c.* p. 357). But disputes often arose as to seniority, and the following canon is designed to meet them. Carthage was the only exception in Africa, as the Episcopal See of this civil capital was at once the first and also the Patriarchal See of Africa.

[1] Mansi, t. iii. pp. 919, sqq.

[2] [The "Dominus vobiscum," restricted to those in holy orders.]

[3] We find a milder decision in canon 11. See below, p. 425.

colleagues, shall investigate the matter; but if it concerns a deacon, with two colleagues. Accusations against others the bishop alone investigates and decides.

9. If a bishop or any cleric despises the ecclesiastical court, and brings his cause before a secular court, he shall, if it is a criminal case, be deposed; but if a civil case, he must yield the advantage gained, if he would retain his office.

10. If an appeal is made from an ecclesiastical court to a higher ecclesiastical tribunal, this shall not injure the judges of the court of first instance, unless it can be proved that they have been purposely unjust. But if, with the consent of both parties, arbiters have been appointed, no appeal takes place.

11. The sons of the bishops and clergy may not join in secular plays, or witness them.

12. The sons of the bishops and clergy shall not marry heathens, heretics, or schismatics.

13. Bishops and clergy shall not make their sons independent too early, before their morals are firmly established.

14. Bishops and clergy shall not make any one their heir who is not a Catholic Christian, not even if he is a relation.

15. Bishops, priests, and deacons shall not be agents (*procuratores*) for others, nor shall they undertake any office which might oblige them to travel, and keep them from their ecclesiastical duties.

16. Strange women may not live with clerics.

17. No one may be ordained bishop, priest, or deacon, who has not first made all his household Catholic Christians.

18. When the readers have attained the age of puberty, they must either marry or make a vow of continence.

19. No one may keep or promote a strange cleric or reader in his church without the consent of the bishop.

20. No one may be ordained who has not been approved, either by examination or by the testimony of the people.

21. In prayer, no one shall address the Son instead of the Father, or the Father instead of the Son, except at the altar, when prayer shall always be addressed to the Father. No one shall make use of strange forms of prayer, without having first consulted well-instructed brethren (*nisi prius eas cum instructioribus fratribus contulerit*).

22. No cleric shall receive back more than he has lent.

23. At the Sacrament of the Body and Blood of Christ, nothing shall be offered but bread and wine mixed with water.

24. The unmarried clergy (of inferior orders) may not visit virgins or widows without the permission of the bishops or priests, and even then not alone. Neither may bishops and priests visit such persons alone, but only in the company of clerics or worthy laymen.

25. The bishop of a *prima sedes*[1] shall not be called *princeps sacerdotum* or *summus sacerdos*, but simply *primæ sedis episcopus*.

26. Clerics may not enter inns to eat or drink, except when travelling.

27. Bishops may not travel across the sea (to Europe) without the consent of the bishop of the *prima sedes*, from whom they must also have the *litteræ formatæ*.

28. The sacrament of the altar shall always be celebrated fasting, except on the anniversary of its institution, *Cœna Domini* (Maundy Thursday).

29. Bishops and clergy shall have no meals in the church,[2] unless when necessary for the refreshment of guests, and then none of the people shall be admitted.

30. The time of penance shall be appointed by the bishop in proportion to the greatness of the sin. Priests may not absolve (reconcile) any penitents, without the consent of the bishop, unless the bishop is absent, and it is a case of necessity. If an offence is publicly known, the penitent shall receive the imposition of hands before the apsis (therefore in public).

31. If virgins dedicated to God have no parents, they shall be entrusted by the bishop or priest to respectable women, with whom they must live, in order not to injure their reputation.

[1] See above, p. 395.

[2] This canon appears to have been suggested by Augustine *in specie*, as he shortly before, in 392, complained to Bishop Aurelius of the scandals which took place at the *agape* in the martyr chapels and cemeteries. See Aug. *Epist.* 22.

32. Sick persons, no longer able to speak, but whose relations testify that they had desired baptism, shall be baptized.

33. Actors and apostates who return to the faith shall not be refused reconciliation.

34. A priest may not consecrate virgins without the consent of the bishop, and he must never consecrate the chrism.

35. Clerics shall not stay in a strange town, unless the bishops or priests of the place have recognised the sufficiency of their reasons for so doing.

36. Besides the canonical Scriptures, nothing shall be read, in the church, under the title of "divine writings." The canonical books are:—Genesis, Exodus, Leviticus, Numbers, Deuteronomy, Joshua, Judges, Ruth, the four books of Kings, the two books of Paraleipomena (Chronicles), Job, the Psalms of David, the five books of Solomon, the twelve books of the (Minor) Prophets, Isaiah, Jeremiah, Daniel, Ezekiel, Tobias, Judith, Esther, two books of Esdras, two books of the Maccabees. The books of the New Testament are:—the four Gospels, the Acts of the Apostles, thirteen Epistles of S. Paul, one Epistle of S. Paul to the Hebrews, two Epistles of S. Peter, three Epistles of S. John, the Epistle of S. James, the Epistle of S. Jude, the Revelation of S. John. Concerning the confirmation of this canon, the transmarine Church shall be consulted. On the anniversaries of martyrs, their acts shall also be read.

37. The old rule of the Councils, that no Donatist ecclesiastic shall be received into the Church otherwise than among the laity, remains in force, except as regards those who have never rebaptized, or those who desire to join the Church with their congregations (that is, such shall retain their clerical office). But the transmarine Church shall be consulted on this point, as also on the question whether the children of Donatists, who have received Donatist baptism, not of their own free will but at the desire of their parents, are to be excluded from being accepted for the service of the altar, on account of the error of their parents.[1]

[1] Two further canons, which the Ballerini adopt, belong, according to their own observation, not to the abridgment of the Synod of Hippo, but one to the

Further information about this Synod is supplied by an African Council held in 525, under Boniface of Carthage, at which several of its decisions were read out and renewed.[1] According to this, two Mauretanian bishops, Cæcilian and Theodorus, proposed at the Synod of Hippo, that in future the Bishop of Carthage should annually announce by letter to the bishops of the higher Sees the day appointed for the feast of Easter; and when Bishop Aurelius, as president of the Synod, had made inquiry all round as to whether the proposition was approved, it was unanimously accepted. As we have already seen, the Epitome of the canons of Hippo also contains this decision.[2]

The same Bishop Cæcilian, in union with his colleague Honoratus, also a Mauretanian, made a second proposition, that the Bishop of Sitifi should be appointed *episcopus primæ sedis* for Mauretania. He was to be chosen by the Provincial Synod, but his election was to be signified to the Bishop of Carthage, from whom he would receive instructions. Aurelius of Carthage brought this question also under discussion. The Bishops Epigonius of Bulla Regia, and Megalius of Calama in Numidia, took part in it, and it was at last unanimously resolved that each province might have its *episcopus primæ sedis*, on condition that none should be appointed without the knowledge of the Bishop of Carthage, so that the authority of his See should remain intact. These bishops were also always to give account of their acts to the Bishop of Carthage.[3]

We further learn from the African *Codex* that, at a later African Synod, perhaps the third of Carthage, the Bishop Epigonius remarked that "nothing should be added to the *Breviarium*" of the Synod of Hippo, except that the day appointed for Easter should always be given notice of during the annual General Council, and not afterwards by

third Council of Carthage in 397 (its second), the other to the Council of Carthage in 401. Cf. Ballerini, *Edit. Opp. S. Leonis*, t. iii. p. 102, note 10, p. 103, note 18.

[1] In Hardouin, t. ii. p. 1080; Mansi, t. viii. p. 646.

[2] See above, p. 395, canon 1.

[3] The Epitome gives this resolution in Nos. 3 and 4 of its first series. See above, pp. 395, sq.

letter.[1] From the fifty-third, seventy-third, and ninety-fourth canons of the same *Codex*, we learn that this Synod also ordered that an African General Council should be held annually on the 23d August, and that each province should then be visited.[2] Lastly, the Carthaginian deacon Ferrandus, a well-known collector of canons of the sixth century, cites a few more canons supposed to be of the Synod of Hippo.[3]

Sec. 110. *Synod at Nîmes in* 394.

The Gallican National Synod at Nîmes, of which Sulpicius Severus speaks in his second Dialogue,[4] and after him Venantius Fortunatus, in his Life of S. Martin, belongs to the year 394. Sulpicius Severus relates that S. Martin refused to be present at a synod *apud Nemausum* (since he joined with the Ithacians in making Felix bishop of Trèves, he would never again take part in any synod),[5] but that he was informed by an angel of all that took place there. This happened when Martin was at sea with Sulpicius Severus; and it appeared on further inquiry that the Synod of Nîmes was held on that very day, and that what was told him by the angel had actually been resolved upon.—No more was known of this Synod till, in 1743, Ignatius Roderique brought its acts to light in his *Correspondance des Savans*, printed at Cologne. They were also printed three years later, in a work published at Leipzig.[6] This publication remained almost entirely unnoticed, so that it was believed that Dr. Knust had first discovered the Acts of the Synod of Nîmes in a manuscript of the sixth century, formerly belonging to the library at Cologne, but now to that of Darmstadt; and this was my own view when my first edition of this history appeared. They were originally communicated by Dr. Knust to the *Bulletin* of the *Société de l'Histoire de France* of 1839,

[1] Mansi, t. iii. p. 733; Hard. t. i. p. 882.
[2] Mansi, t. iii. pp. 742, 775, 799; Hard. t. i. pp. 887, 903, 919.
[3] In Justell. *Biblioth. Jur. Can.* t. i. pp. 449, 450, 451, 454.
[4] Sulpicius Severus, *Dialogus* 2, n. 15.
See above, p. 385.
[6] *Fortgesetzten Sammlung von alten und neuen Theol. Sachen, Büchern*, etc., Leipzig, 1746; cf. Walch, *Historie der Kirchenvers.* p. 233.

and from thence found their way into the Freiburg Theological Magazine in 1844.[1] As these Acts are not found in any collection of Councils, they were inserted, with the notes of Knust and the notice of them in the *Bulletin*, in the second volume of the first edition of this work, and this led Professor Abbé Lévêque of Nîmes to publish a little monograph on that Council.[2] Many of the remarks and suggestions for the amendment of the text made use of here have also been brought forward by Dr. Nolte in his criticism of the little work of Lévêque.[3]

According to Knust, the Acts run thus:—

"Incipit sancta Synodus quæ convenit in civitatem Nemausensem, Kal. Octobris, dominis Archadio et Honorio Augustis consulibus.

"Episcopis per Gallias et septem provincias[4] salutem. Cum ad Nemausensem Ecclesiam, ad tollenda Ecclesiarum scandala discessionemque sanandam (in Roderique, *dissensionem sedandam*) pacis studio venissemus,[5] multa utilitati congrua, secundum regulam disciplinæ, placuit provideri.

"I. In primis quia multi, de ultimis Orientis partibus venientes (the Manicheans) presbyteros et diaconos se esse confingunt, ignota cum suscriptione apostholia[6] ignorantibus ingerentes, quidam (perhaps *qui dum*) spem infidelium (instead of 'spem infidelium,' read *specie fidelium*) sumptum stepemque captantur (read *captant*), sanctorum communione speciæ (read *speciem*) simulatæ religionis (add *sibi*) inpræmunt (*inprimunt*): placuit nobis, (add *ut*) si qui fuerint ejusmodi, si tamen communis Ecclesiæ causa non fuerit, ad ministerium altarii (*altaris*) non admittantur.

[1] *Freiburger Zeitschrift für Theologie*, vol. xi. p. 465.

[2] *Le Concile de Nimes et S. Felix, Evêque de cette ville à la fin du* IV^e^ *Siècle*, Nîmes, 1870.

[3] Reusch, *Theol. Literaturblatt*, 1870, No. 23.

[4] The "septem provinciæ" are:—Alpes maritimæ, Viennensis, Narbonnensis I. et II., Aquitania I. et II., Novempopulania. See Lévêque, *l.c.* 8.

[5] The divisions which were to be combated at Nîmes were occasioned (*a*) by the Ithacians and their Bishop Felix of Trèves, (*b*) by the intrusion of Priscillianism, and (*c*) by the arrival of Manichean sectaries who had been driven from the East by the imperial edict of 389.

[6] "Letters of peace"="epistolia." See canon 6, and cf. canon 13 of the Synod of Orleans in 533.

"II. Illud ætiam a quibusdam suggestum est, ut contra apostolicam disciplinam, incognito usque in hoc tempus in ministerium feminæ nescio quo loco levviticum videantur adsumptæ; quod quidem, quia indecens est, non admittit ecclesiastica disciplina; et contra rationem facta talis ordinatio distruatur (read *destruatur*): providendum, ne quis sibi hoc ultra præsumat."

This canon is directed against the Priscillianists.

"III. Illud etiam repetere secundum canonem placuit, ut nullus episcopus sive clericum sive laicum, a suo episcopo judicatum, in communionem admittat inlicitam.

"IV. Neque sibi alter episcopus de clerico alterius, inconsulto episcopo cujus minister est, judicium vindicet.

"V. Additum ætiam est, ut, quia multi, sub specie peregrinationis, de ecclesiarum conlatione luxoriant, victura (*victuaria*) non omnibus detur (*dentur*); unusquisque voluntarium, non indictum, habeat de hac præstatione judicium.

"VI. Ministrorum autem quicunque peregrina quibuscunque necessitatibus petunt, ab episcopis tantum apostolia suscribantur.

"VII. Addi etiam placuit, ut, quia frequenter Ecclesiis de libertorum tuitione inferuntur injuriæ, sive qui a viventibus manumittuntur, sive quibus libertas ultima testatione conscribitur: placuit Synodo, ut si fidelis persona contra fidem et contra defunctorum voluntatem venire temptaverit, communicantes, qui contra Ecclesiam veniunt, extra Ecclesiam fiant; catechumenis vero nisi inreligiositate pietatem mutaverint, gratia considerata secundum Deum per inspectionem tradatur" (important for the history of the abolition of slavery).

"Ego Aprunculus[1] subscripsi.

"Ego Ursus[2] subscripsi.

[1] Perhaps the same who in the *Gallia Christ.* (t. i. col. 73) is mentioned among the five first Bishops of Auch, and in him we must recognise the president of the Synod of Nîmes.

[2] He was supposed to be the Ursus whose consecration was declared invalid by Pope Zosimus in 417 (Mansi, t. iv. p. 361); but Abbé Lévêque shows (p. 19) that this Ursus only became bishop about 411. He suggests "Ursio," an otherwise unknown Gallican bishop, who is mentioned in canon 3 of the Synod of Turin of 401.

"Ego Genialis[1] pro me, et pro fratre Syagrio,[2] subscripsi.

"Ego Alitius[3] pro me, et pro fratre Apro,[4] subscripsi.

"Ego Fœlix[5] subscripsi.

"Ego Solinus subscripsi.

"Ego Adelfus[6] subscripsi.

"Ego Remigius[7] subscripsi.

"Ego Epetemius[8] subscripsi.

"Ego Modestus[9] subscripsi.

"Ego Eusebius[10] subscripsi.

"Ego Octavius[11] subscripsi.

"Ego Nicesius[12] subscripsi.

"Ego Evantius[13] subscripsi.

"Ego Ingenuus[14] subscripsi.

[1] The only well-known bishop of this name in Gaul was S. Genialis, the first Bishop of Cavaillon, who is supposed to have lived somewhere about the year 322 (*Gallia Christ.* t. i. p. 940). According to this document, the time of his episcopate might be placed about seventy years later, as no bishop was known of between him and Bishop Julian, who occupied that See from 439 to 451.

[2] Perhaps the first Bishop of Tarbes (*Gallia Christ.* i. 1225).

[3] Is he the Bishop of Cahors mentioned by Gregory of Tours in book ii. c. 13 of his history? But this Alitius was then still a priest. See Lévêque, *l.c.* p. 20.

[4] Not the renowned Bishop Aper of Toul, who lived in the latter part of the fifth century. Cf. Lévêque, *l.c.* p. 20.

[5] Bishop of Nîmes, crucified by the Vandals in the beginning of the fifth century. *Gallia Christ.* t. i. *instrumenta* (in the Appendix), pp. 136, 137; cf. Lévêque, *l.c.* pp. 22, sqq.

[6] Perhaps Bishop of Limoges (*Gallia Christ.* ii. 501).

[7] At the Synod of Turin in 401 this Remigius, together with Octavius and Treferius mentioned below, was acquitted of the charge of having performed some unlawful consecrations. His See is unknown.

[8] Perhaps S. Apodemius, who in 407 went from the shores of the ocean and the furthest boundaries of Gaul to Bethlehem, in quest of S. Jerome (S. Hieron. *Opp.* ed. Bened. t. i. P. i. pp. 168, 188).

[9] The fourth Bishop of Meaux.

[10] First Bishop of Vence (*Gallia Christ.* iii. 1212).

[11] See above, note 7.

[12] This Bishop and Urbanus, mentioned below, are probably the same who also signed the decrees at the Council of Valence in 374 (cf. *supr.* p. 289). Tillemont supposes Nicesius to have been Bishop of Mayence (Tillemont, *Mémoires*, t. viii. p. 235, ed. Brux. 1732). Addo's *Chronicle*, however, mentions an Archbishop Nicesius of Vienne.

[13] S. Evantius (Ovan) was the seventh Bishop of Autun.

[14] Perhaps the same who in 440 still occupied the See of Embrun. But, in that case, he could not have been present at the Council of Orleans in 461, as Mabillon believed.

"Ego Aratus subscripsi.
"Ego Urbanus[1] subscripsi.
"Ego Melanius[2] subscripsi.
"Ego Treferius[3] subscripsi.
"Explicit. Episcopi numero xxi."

From the heading of this Synod it appears that it was held under the Consuls Arcadius and Honorius. These two Emperors were, however, three times consuls together, in 394, 396, and 402. This last date will not suit; for, according to what has just been said, S. Martin was still living at the time of the Synod of Nîmes, and he died in the year 400. Thus there remain only the dates 394 and 396, and of these the former is the more probable, because in the heading of the Acts *iterum* does not follow *consulibus*.

Sec. 111. *The Four First Carthaginian Synods under Aurelius, and the Synods of Adrumetum and Constantinople.*

As we have seen, Archbishop Aurelius of Carthage opened his series of Synods with that of Hippo in 393. These were followed, during his time of office, by twenty more, almost all held at Carthage itself, which had already in ancient times come to be separately numbered. The first of them belongs to the year 394; we, however, know no more of it than that several bishops from Proconsular Africa were chosen to go as envoys to the Synod of Adrumetum.[4] It is thence inferred that this Synod of Carthage was only a provincial one, while that of Adrumetum was an African General Synod. More than this is not known.[5]

In the same year, 394, a Synod also took place at Constantinople under the presidency of the Archbishop Nectarius, to decide between the claims of two bishops, Gebadius and Agapius, to the See of Bostra in Arabia; a matter which really belonged to the jurisdiction of the Patriarch of Antioch.[6] On

[1] Probably S. Urban, Bishop of Langres. Cf. p. 405, note 12.
[2] S. Melanius of Troyes. Cf. Lévêque, *l.c.* p. 22. [3] Cf. *supr.* p. 405, note 7.
[4] This account is contained in the *Collect. Can. Eccl. Afric.* after c. 33; Mansi, t. iii. p. 732; Hard. t. i. p. 882.
[5] Mansi, t. iii. pp. 854, sq.; cf. Fuchs, *Biblioth. der Kirchenvers.* vol. iii. pp. 51, sqq.
[6] Hergenröther, *Photius*, vol. i. p. 37.

this occasion it was decided that in future a bishop could only be deposed by a greater synod, and by the sentence of the bishops of the province, and not simply by three other bishops.[1]

If we turn again to Carthage, we shall find that two Synods, often not properly distinguished from each other, were held there in 397. One of these (the Second of Carthage) was held under Aurelius on the 26th of June, the other (the Third of Carthage) on the 28th of August. Of the first we have only one piece of information in the African *Codex*, between the numbers 56 and 57, which says that it was held on the sixth of the Kalends of July, under the Consuls Cæsarius and Atticus, and that it prescribed that no bishop should make a sea voyage without *litteræ formatæ* from the primate.[2] But from the third Carthaginian Synod, of the 28th August 397, Acts have come down to us. In accordance with the rule of Hippo,[3] this Synod was announced for the 23d August; but as the deputies of several African provinces did not immediately appear, the opening was postponed for some days.[4] The deputies of Mauretania Sitifensis, however, declared that on account of the distance they could not wait so long. Like them, the bishops of the Byzacene province, with Musonius or Mizonius at their head, had arrived considerably earlier, and had already, on the Ides of August, held an assembly with Archbishop Aurelius of Carthage—a preliminary Synod—in which they rejected the abridgment of the decisions of Hippo, already well known to us, and gave him a letter, still extant, which they and Aurelius together addressed to the approaching African General Synod.[5]

When they were assembled on the 28th of August, the

[1] Mansi, t. iii. p. 851; Hard. t. i. p. 955; Assemani, *Biblioth. Juris. Orient.* t. iii. pp. 2, 11 sq.

[2] Mansi, t. iii. p. 752; Hard. t. i. p. 894.

[3] See above, p. 401.

[4] Cf. the heading and the introductory words of this Synod in the *Codex Canon. Eccl. Afric.* between c. 33 and 34. Mansi, t. iii. p. 733; Hard. t. i. p. 882.

[5] It is a mistake to suppose that this letter was only addressed to those Byzacene bishops who remained at home, and the objections of Hardouin and others to the signature of Aurelius are equally untenable. Cf. Ballerini, *Opp. S. Leonis*, t. iii. p. lxxx. n. ii. p. 87, nota 12. On this Synod cf. also Van Espen, *Commentar. in Canones*, etc. Colon. 1755, p. 325.

Synod had these documents read aloud, gave its consent to the *Breviarium*, renewed the decisions it contained (as well as the Nicene formula), and added some fresh rules without distinguishing them from those of the *Breviarium* by special numbers. There are, however, but few of these additions.[1] In the first the Bishops Honoratus and Urbanus, as envoys of the Mauretanian Province of Sitifi, again complain of Bishop Cresconius of Villa Regis, who, in spite of the decision of Hippo (canon 2), still retained possession of the See of Tubunæ, and beg for permission to invoke the aid of the civil governor of the province against him (an appeal to the secular arm). The Synod granted their request.[2]

In the second the same bishops propose that it should be directed that a bishop may only be consecrated by twelve others. On the motion of Aurelius, however, this was not agreed to; but the Nicene rule was renewed, according to which at least three bishops were necessary to consecrate another.

The third treats of a case in which the fitness of a newly-elected bishop is questioned, and orders that the matter shall be investigated, and the consecration shall not take place till the inquiry is over.

The fourth renews the decisions of Hippo as to the feast of Easter, and the annual visitation of each province to take place at the time of the General Council.[3]

In the fifth, Bishop Epigonius said that nothing should be added to that which was inserted in the *Breviarium* by the Synod of Hippo, except that the time appointed for Easter should always be announced at the Council. The rest refers to the appointment of new bishops, and forbids the confirmation of those priests who from pride seek to separate their parishes from the diocese to which they have hitherto belonged, in order themselves to become bishops. But those bishops who separate themselves from their colleagues, and entirely refuse to appear at the Synods, shall not only not be allowed to retain their dioceses undivided, but they must with the

[1] See Mansi, t. iii. pp. 926, sqq. For the sake of brevity we only give here these new portions, and refer for the second *Breviarium* to pp. 394, sqq. above.

[2] Cf. Kober, *Der Kirchenbann*, Tübingen, 1863, p. 440.

[3] See above, pp. 395, 400.

help of the public authority (*brachium seculare*) be banished from their Sees.

The sixth (in Mansi wrongly given as the seventh) is no more than the application of the nineteenth canon of Hippo to a special case.[1]

Lastly, the seventh confirms the prerogative of the Bishop of Carthage with regard to the appointment and consecration of other bishops, and acknowledges his right to transfer the clergy from one diocese to another for the good of the Church.

At the end, forty-three bishops in all subscribed the decrees, among whom was S. Augustine. The Acts of this Synod were first accurately reproduced by the Ballerini,[2] after whom Mansi adopted them in an amended form in his Collection of Councils.[3]

One hundred and four canons (Baluze thinks 105) are ascribed to a fourth Carthaginian Synod in 398 (*Honorio* IV. *et Eutychiano consulibus*), according to the heading of which 214 bishops were present; and these canons are found in the old Spanish, as well as in the pseudo-Isidorian collection, and in Hardouin.[4] Christopher Justellus, however, and other ancient scholars have raised objections to the real existence of this Synod; and the Ballerini have shown that many old codices did not ascribe this collection of 104 canons to a Council of Carthage, but gave them the general title of *Statuta Ecclesiæ Antiqua*, or a similar one.[5] These codices also give the canons in a different, indeed the original order, as the Ballerini again show;[6] while the Spanish collection has arranged the separate canons more in accordance with their contents. The conclusion obtained from the researches of the Ballerini is, that these 104 canons are certainly very old, but that the heading which ascribes them to the Carthaginian Synod of 398 is spurious. A synod of 214 bishops would have been the greatest and most

[1] See above, p. 391.

[2] In their edition of the works of Leo, t. iii. præf. pp. lxxix.-lxxxvii. Fuchs followed the Ballerini in his *Biblioth. der Kirchenvers.* vol. iii. pp. 58, sqq.

[3] Mansi, t. iii. pp. 916–930. In the same volume, pp. 875, sqq., Mansi also gives the older and less accurate revision of the Synodal Acts. Only the latter is found in Hard. t. i. pp. 959, sqq.

[4] See Hardouin, t. i. pp. 975, sqq.; Mansi, t. iii. pp. 945, sqq.

[5] In their edition of the works of Leo the Great, t. iii. p. lxxviii.

[6] The Ballerini have edited these 104 canons according to their original order, *l.c.* pp. 653, sqq.

remarkable among the African Synods, and yet nothing is known of such an one in 398. It is not mentioned either by Dionysius Exiguus, or by Ferrandus, or by the Carthaginian Synod of 525, which renewed so many canons of more ancient African Synods. Besides this *argumentum ex silentio*, there is also positive evidence against the Synod in question. For instance, the first canon (according to another arrangement the *proœmium*) plainly refers to Pelagianism, and even to Nestorianism and Monophysitism; besides which, the same canon speaks of metropolitans, which expression was not used in Africa. As we have already seen, *primæ sedis episcopus*, *senex*, and *primas* were used instead.[1] To this must be added that Donatian of Telepte (Talabricensis), who in the signatures to the 104th canon appears as *episcopus primæ sedis*, did not in 398 possess this dignity.[2] Moreover, the 104 canons do not proceed from one and the same Synod, nor even from several Carthaginian Synods, but the whole is the compilation of a private individual, who collected that number of ancient canons, partly from African and partly from other Synods, of which many were Eastern ones, for which reason in the Italian manuscripts his work obtained the title of *Statuta Orientis*.[3] Probably this collection originated after the commencement of the Pelagian and Monophysite controversies, but still before the end of the sixth century, when it was adopted into other collections.[4]

The often quoted canons of this supposed fourth Synod of Carthage run thus:—

1. He who is to be ordained bishop must first be examined whether he is prudent, teachable, of gentle manners, etc.; above all, whether he openly acknowledges the chief points of the faith, *i.e.* that the Father, Son, and Holy Ghost are one God, that Christ has two natures, and yet is only one Person;[5] whether he believes that the Old and New Testaments have only one Author and God; that the devil is

[1] See above, p. 395, note 7.

[2] Ballerini, *l.c.* p. xc.

[3] Ballerini, *l.c.* pp. lxxxix.–xci.

[4] Ballerini, *l.c.* p. xci. On this supposed Synod, cf. also P. de Marca, *De Veter. Collect. Can.* c. 7, in the appendix to his work, *Concord. Sacerd. et Imp.*

[5] Against Nestorianism, or against the views of Liborius. See below.

not wicked by nature, but of his own free will; whether he believes in the resurrection of this flesh, and in the judgment; whether he does not disapprove marriage, or condemn second marriages, or the eating of flesh; whether he has communion with reconciled penitents, and believes that in baptism all sins, original sin as well as wilful sins, are remitted, and that *extra Ecclesiam Catholicam nullus salvatur.*[1] If he passes the examination he shall be consecrated bishop, with the consent of the clergy and laity, in the presence of all the bishops of the province, and especially with the authority of the metropolitan. He must also be of the prescribed age.

2. When a bishop is consecrated, two bishops must hold the book of the gospels over his head and his neck, and while one pronounces the blessing over him, all the other bishops lay their hands on his head.

3. When a presbyter is ordained, and the bishop in blessing him lays his hand upon his head, all the priests present also lay their hands on his head.

4. When a deacon is ordained, only the bishop who blesses him lays his hand upon his head.

5. When a sub-deacon is ordained, he receives no imposition of hands, but the bishop delivers to him the paten and chalice empty, and the archdeacon gives him the little can with water, the *mantile* and *manutergium* (perhaps we should read *urceolum cum aquamanile* [= little plate], *et manutergium*).

6. When an acolyte is ordained, the bishop instructs him how he is to behave himself in his office. The archdeacon gives him the candlestick with the tapers, etc.

7. When an exorcist is ordained, the bishop gives him the book in which the exorcisms are written, with the words: *Accipe et commenda memoriæ*, etc. (just as now in conferring the power of exorcism).

8. When a reader is ordained, the bishop makes a discourse to the people upon him, his faith and his life, and then delivers to him the codex from which he is to read, saying, *Accipe*, etc. (as is still the practice).

9. When a doorkeeper (*ostiarius*) is ordained, the bishop

[1] All this is directed against the Manichean, Novatian, Pelagian, and Priscillian errors.

delivers to him the keys of the church, saying, *Sic age*, etc. (as is still the practice).

10. A psalmist may receive his office by the command of the presbyter only, without the previous knowledge of the bishop. The presbyter thus addresses him, *Vide ut quod ore cantas, corde credas, et quod corde credis, operibus comprobes.* (This form is still used in ordaining a *lector.*)

11. If a virgin is to be presented to the bishop for consecration, it must be in the same clothes which, in accordance with her sacred calling, she will henceforth wear.

12. Widows or virgins consecrated to God, who are to be employed at the baptism of women, must be competent to instruct rude and ignorant women how to answer at their baptism and how to live afterwards.

13. A bride and bridegroom shall be presented to the priest by their parents, or those representing them, for benediction. Out of respect to the blessing received, they shall remain the following night in virginity.

14. The bishop shall live close to the church.

15. A bishop shall have but little household furniture, and a frugal table.

16. A bishop shall read no heathen books, and heretical books only when necessary.

17. The affairs of widows, orphans, and strangers shall not be transacted personally by the bishop, but through the archpresbyter or archdeacon.

18. A bishop shall not take upon himself to act as executor.

19. A bishop shall not go to law in secular matters, even if he is provoked.

20. He shall not occupy himself with household cares, but with reading, prayer, and preaching.

21. Without urgent necessity a bishop shall not allow himself to be kept away from synods; he may, however, send his legates instead, ready *salva fidei veritate* to accept all that the synod may decide.

22. He shall not ordain any one without the advice of his clergy, and is bound *civium conniventiam et testimonium quærere.*

23. A bishop shall undertake no judicial action except in the presence of his clergy, otherwise his sentence is invalid.

24. Whoever leaves the church during the sermon of the priest shall be excommunicated.

25. Bishops who are at strife with one another shall be reconciled by the synod.

26. The bishops shall exhort clergymen or laymen, who are at strife, to peace rather than to law proceedings.

27. Neither a bishop nor any other ecclesiastic shall go from a smaller to a more important place. But if the good of the Church demands it, the translation (of a bishop) must take place at the synod, upon the written request of clergy and people. Other clerics only need (for their translation) the permission of their bishops.

28. An unjust sentence of a bishop (probably pronounced upon one of his clergy) is invalid, and must be reversed by the synod.

29. If a bishop accuses a clergyman or layman of a crime, he shall prove it before the synod.

30. Ecclesiastical judges may pass no sentence in the absence of the accused.

31. The bishop must regard Church property as his trust only,—not as his possession.

32. If a bishop gives away, sells, or exchanges any portion of Church property without the consent and signature of his clergy, it is invalid.

33. If a bishop or priest goes to visit the church of another, he must be received according to his rank, and invited to preach as well as to offer the holy sacrifice.

34. When the bishop is seated, he shall allow no priest to remain standing.

35. In the church and in the council of priests, the bishop shall have a higher seat; but at home he must conduct himself as a colleague of the priests.

36. The priests of country churches shall not demand the chrism (before Easter) from any casual bishop, but from their own, and not through any young cleric, but either in person or through him *qui sacrarium tenet.*

37. A deacon must understand that he is the priests' as well as the bishop's servant.

38. When obliged by necessity, the deacon, in the absence

of the priest, and by his command, shall administer the Eucharist (*Eucharistia Corporis Christi*) to the people.

39. At the bidding of the priest, a deacon shall take his seat wherever he is told.

40. If a deacon is asked to speak in the assembly of the priests, he shall do so.

41. A deacon shall only wear the alb *tempore oblationis vel lectionis.*

42. A cleric who zealously does the duties of his office under persecutions (*tentationes*) shall be advanced.

43. A Catholic Christian, suffering persecution for the Catholic faith, must be held in all honour by the priests, and his sustenance must be conveyed to him by a deacon.

44. *Clericus nec comam nutriat nec barbam.*

45. The dress and behaviour of the clergy shall be such as befit their office, and they shall not affect adornment in their clothes and shoes.

46. The clergy shall not live with strange women (*cum extraneis mulieribus*).

47. The clergy shall not walk about the streets and public places (*per andronas*) if their duties do not positively compel them to do so.

48. A clergyman who, without wanting to buy anything, frequents the markets or the forum, shall be degraded.

49. A clergyman who, without being ill, absents himself from the night offices, shall be deprived of his stipend.

50. A clergyman who, during persecution, forsakes his post or discharges his duties negligently, shall be deprived.

51. Even the learned clergy shall gain their living by a trade (*artificium*).

52. The clergy shall gain their food and clothing by a trade or by agriculture, without prejudice to their office.

53. All clerics who are capable of work shall learn a trade besides their regular studies.

54. A cleric who is envious of his brethren may not be advanced.

55. One who accuses a brother shall be excommunicated by the bishop. If he amends, he shall be received again into communion, but not replaced among the clergy.

56. A clergyman who deals in flattery and treachery shall be degraded from his office.

57. A clergyman who speaks evil, especially against priests, must beg for forgiveness, or he will be degraded.

58. The testimony of one who often goes to law, and is fond of accusing others, may not be accepted without strict examination.

59. Those of the clergy who live in enmity with each other the bishop shall restore to peace by exhortation or by force; the disobedient shall be punished by the synod.

60. Those who indulge in buffoonery, or use indecent language, shall be deprived of their office.

61. Those of the clergy who swear by creatures must be most severely reprimanded. If they persist in the fault, they shall be excommunicated.

62. A clergyman who sings during meals shall be punished in like manner.

63. A clergyman who, without urgent necessity (*inevitabilis necessitas*), breaks the fasts, shall be degraded to a lower rank.

64. He who fasts on Sunday is not accounted a Catholic (against the Priscillianists).

65. Easter must be celebrated everywhere at the same time.

66. If a clergyman considers the sentence of his bishop against him to be unjust, he must have recourse to the synod.

67. Rebels, usurers, and revengeful persons may not be ordained.

68. A penitent, even if he is a good man, may not be ordained. If this is done *per ignorantiam episcopi*, the person ordained must be deposed (*deponatur a clero*), because at his ordination he concealed the fact. But if the bishop has knowingly ordained such a person, he forfeits his right of ordination.

69. The same punishment is incurred by a bishop who knowingly ordains a man married to a widow or divorced person, or who has been twice married.

70. The clergy must avoid the entertainments and society of heretics and schismatics.

71. The conventicles of heretics shall not be called churches, but *conciliabula*.

72. It is not permitted to pray or to sing psalms with heretics.

73. He who holds communion or prays with an excommunicated person shall be excommunicated himself.

74. The priest shall place all those who desire to do penance under the penitential laws.

75. Careless penitents shall only be received after a length of time.

76. If a sick person desires penance, but on the arrival of the priest can no longer speak, or has lost his understanding, then those who heard his wish shall testify to it, and he shall receive the penance. If it is thought that he is about to die, he shall be reconciled through imposition of hands, and the Holy Eucharist shall be given to him.[1] If he lives, the witnesses before mentioned shall assure him that his wish has been fulfilled, and he must be placed under the penitential discipline for as long as the priest thinks good.

77. Sick penitents shall receive the *viaticum*.

78. Penitents who have received the Holy Eucharist during an illness may not think, if they recover, that they are absolved without imposition of hands; that is, they must be bound through imposition of hands to do the works of penance.[2]

79. If penitents who have shown themselves zealous die accidentally on a journey or at sea, where no one can come to their assistance,[3] they shall yet be prayed for and the sacrifice offered in their behalf.

80. In every Lent the penitents must receive imposition of hands from the priests.

81. The penitents must bring the dead to church and bury them.

82. The penitents must bend the knee even *diebus remissionis* (on feasts and holidays).

83. The poor and the old are to be more honoured in the church than others.

[1] Imposition of hands marks the third degree of penance. In this stage a sick person received absolution and the Holy Eucharist, but was obliged, if he lived, to fulfil the works of penance. Cf. Frank, *Die Bussdisciplin der Kirche*, Mayence, 1867, p. 826.

[2] See Frank, *l.c.* 826.

[3] [*i.e.* where there is no priest to give them the sacraments.]

84. The bishop shall hinder no one, whether heathen, heretic, or Jew, from entering the church, and hearing the word of God, *usque ad missam catechumenorum.*

85. Those who desire to be baptized must give their names, and when they have been proved by abstinence from wine and flesh, and by repeated imposition of hands, they shall be baptized.

86. Newly baptized persons shall for a time abstain from luxurious feasts, from the theatre, and from intercourse with their wives.

87. If a Catholic brings his quarrel, just or unjust, before the tribunal of a heretic, he shall be excommunicated.

88. He who neglects divine service on festivals, and goes instead to the theatre, shall be excommunicated.

89. He who deals in auguries (soothsaying) and incantations (conjuring) must be shut out of the Church, as must those also who join in Jewish superstition.

90. The exorcists shall lay their hands daily on the energumens.

91. The energumens shall sweep out the church.

92. The energumens who remain in the house of God must have their daily food given them at the right time by the exorcists.

93. The offerings of brethren who live in mutual enmity may neither be received in the *sacrarium* nor in the *gazophylacium.*

94. The presents of those who oppress the poor are to be refused by the priests.

95. Those who withhold from the Church the *oblationes defunctorum,* or make difficulties about giving them, shall be excommunicated as murderers of the poor.

96. At a court of justice the conduct and religion of accuser and accused must be inquired into.

97. A superior of consecrated women shall be examined by the bishop.

98. A layman may not teach in the presence of the clergy, except at their command.

99. A woman, however learned and holy, may not take upon herself to teach in an assembly of men.

100. A woman may not baptize.

101. Young and sickly widows are to be supported at the cost of the Church.

102. The bishop or parish priest is responsible if young widows or nuns are brought, on account of their bodily sustenance, into familiarity with clerics.

103. Widows who are maintained at the cost of the Church must be zealous in the service of God.

104. If a widow, who has dedicated herself to God and taken the religious habit, marries again, she shall be entirely shut out from the communion of Christians.

105. (Found by Baluze in a manuscript.) A clergyman who brings discord into the Church shall be deposed, and a laymen so doing shall be excommunicated.[1]

Another Synod of Carthage, which, according to the conclusion we have arrived at, must be called the fourth, was held on the 27th April 399 (*V. Kal. Maias*), after the consulate of Honorius IV. and Eutychianus, in the *Secretarium Basilicæ Restitutæ*.[2] Only one single decree, however, remains to us; *i.e.* that the Bishops Epigonius and Vincent should be sent to the Emperor to beg for the churches the right of asylum.[3]

SEC. 112. *Synods at Alexandria, Jerusalem, Cyprus, Constantinople, Ephesus, and Toledo.*

In the same year, 399, some synods touching the Origenist controversy were also held; and first, that of Alexandria under Archbishop Theophilus, whose Synodal Letter was first published by Ballarsi in his edition of the works of S. Jerome, and after him by Mansi.[4] What was formerly held to be a fragment of this Synod,[5] belongs to a later document by Theophilus.[6]

[1] Mansi, t. iii. pp. 945, sqq.; Hard. t. i. pp. 975, sqq.; Fuchs, *Bibl. der Kirchenvers.* vol. iii. pp. 458 sqq.

[2] Cf. Ideler, *Lehrbuch der Chronologie*, p. 405.

[3] This document is found, after the fifty-sixth canon, in the *Codex Canon. Eccl. Afric.* in Mansi, t. iii. p. 752; Hardouin, t. i. p. 894; cf. Fuchs, *Bibl. der Kirchenvers.* vol. iii. p. 95.

[4] Ballarsi, in his edition of the works of S. Jerome, t. i. p. 537; Mansi, t. iii. pp. 981, sqq.; cf. below, sec. 115.

[5] Printed in Mansi, t. iii. p. 976.

[6] Cf. Pagi, ad ann. 401, n. 2 sqq.; and Mansi, *l.c.* p. 979.

Soon afterwards, a synod was also held at Jerusalem against the Origenists, which gave its assent to the above-mentioned Alexandrian Council.[1]

About the same time, S. Epiphanius assembled a third Synod at Cyprus, also for the purpose of anathematizing Origen; and the only question is, whether these two last assemblies belong to the year 401, as Pagi thinks, or to 399, as Mansi, Walch, and others believe.[2]

In the year 400 we have three synods: one at Constantinople, assembled by S. Chrysostom, for the deposition of Bishop Antoninus of Ephesus;[3] a second at Ephesus, which, under the presidency of Chrysostom, deposed six Asiatic bishops, and made Heraclides Bishop of Ephesus;[4] and lastly, the first Synod of Toledo, assembled by the Archbishop Patronus or Patruinus, and attended by eighteen other bishops, in September of the year 400. In the name of this Synod we have twenty canons, a creed directed against the Priscillianists, and two other documents touching the reception of Priscillianist bishops, etc.;[5] it is, however, certain that the confession of faith belongs to a later Synod at Toledo, and we shall therefore treat of it further on.[6]

The contents of the canons are as follows:—

1. Those deacons or priests who, before the law of celibacy was published by the Lusitanian bishops, have had intercourse with their wives, shall not be promoted to higher posts.

2. A penitent shall not be received among the clergy.

3. A reader (*lector*) who marries a widow can at the most only become a sub-deacon.

4. A sub-deacon who, after the death of his wife, marries

[1] The letter of the Synod of Jerusalem is found in Mansi, t. iii. p. 989.

[2] Mansi, t. iii. pp. 1020, 1022; Walch, *Hist. der Kirchenvers.* p. 245.

[3] Mansi, *l.c.* pp. 992, sqq.

[4] Mansi, *l.c.*, and Pallad. *Vita Chrysost.* c. 13. The canonical question (as to the interference of Chrysostom in another patriarchate or exarchate, that of Ephesus) shall be noticed further on, in connection with the twenty-eighth canon of the Fourth General Council. Cf. Hergenröther, *Photius*, vol. i. p. 40.

[5] In Mansi, t. iii. pp. 997 sqq. and p. 1013 sqq.; Hard. t. i. p. 990; cf. Florez, *España Sagrada*, t. xvi. pp. 49–129 and 319–330; Mandernach, *Gesch. des Priscill.* 1851, pp. 47 sqq.; Lübkert, *De Hær. Priscill.* 1840, pp. 85, sqq.

[6] See below, sec. 167.

a second time, shall be degraded to the office of an *ostiarius* or reader, and may not read the epistle and gospel. But if he marries a third time (*quod nec dicendum aut audiendum est*) he must do penance for two years, and even then, after being reconciled, may only communicate with the laity.

5. Every cleric must daily attend divine service.

6. A virgin dedicated to God shall hold no communication with men with whom she is not nearly related, especially not with a reader or confessor (= *cantor*).[1]

7. If the wife of a cleric sins, her husband shall keep her in confinement, and impose fasts and the like upon her.

8. Those who have served in war may become clerics, but may not be raised to the diaconate.

9. A virgin dedicated to God, or a widow, may not, in the absence of the bishop, sing the Antiphons at home in company with her servants or a confessor.[2] Neither may the *Lucernarium* (vespers) be held without a bishop, priest, or deacon.[3]

10. Clerics who are not entirely free may not be ordained without consent of their patrons.

11. If a powerful man plunders a clergyman, monk, or poor person, and refuses to answer for it to the bishop, letters shall be at once addressed to all the bishops of the province, and any others who are in any way accessible, so that the person in question may everywhere be treated as excommunicate, until he has submitted and given back the stolen property.[4]

12. A cleric may not forsake his bishop to take service with another.

13. Those who never communicate in the church shall be shut out.

14. Those who do not really consume the Holy Eucharist which they have received from the priest, shall be treated as "sacrilegious."

15. No one may hold intercourse with an excommunicated person.

[1] "Confiteri" is often used in the Holy Scriptures for "Dei laudes decantare," and hence "confessor" comes to mean "cantor;" cf. Du Cange, *Glossar.*

[2] See canon 6.

[3] On the "Lucernarium," cf. the notes of Binius in Mansi, t. iii. p. 1016.

[4] Cf. Kober, *Kirchenbann*, 1863, pp. 192 sq.

16. If a virgin dedicated to God falls (into sexual sin), she can only be readmitted to communion after ten years of penance. The same punishment is incurred by the partner of her guilt. But if such a virgin marries, she can only be admitted to penance on her giving up conjugal intercourse with her husband.

17. If a Christian has a believing wife and also a concubine, he may not be admitted to communion; but if he has no wife and only one concubine, he may be admitted.[1]

18. If the widow of a bishop, priest, or deacon marries a second time, she shall be shut out from the Church, and may only receive the sacrament on her deathbed.

19. If the daughter of a bishop, priest, or deacon, who has dedicated herself to God, sins and marries, her parents may no longer hold any intercourse with her, and she herself shall be excommunicated, and may only receive the sacrament on her deathbed.

20. Only a bishop, not a priest, may consecrate the chrism (and he may do so on any day); but before Easter, deacons or sub-deacons shall fetch the chrism from him.

SEC. 113. *The Fifth, Sixth, and Seventh African Synods at Carthage and Mileve, and a Synod at Turin.*

The fifth century opened with two new Carthaginian Synods, the fifth and sixth, a correct account of which was again first given by the Ballerini.[2]

There are fifteen canons of the fifth Carthaginian Synod in

[1] According to Roman law, by concubinage was understood every unequal marriage, as in the earlier ages between patricians and plebeians, or between a citizen and a freed-woman. But, after the passing of the "Leges Canuleia, Julia," and "Papia Poppæa" (A.D. 11), an alliance of the kind above mentioned received all the rights of marriage, and concubinage included only (*a*) the alliance of a senator, his son (or daughter) with a "libertina" (or a "libertinus"); (*b*) the alliance of a citizen with an actress, or generally with a member of a class looked down upon; (*c*) the alliance of a patron with a freed-woman. Cf. Walter, *Gesch. der Röm. Rechts*, pp. 540, 554. According to this, in the second part of this canon, by "concubina" is probably meant a wife of lower rank, who could be again dismissed (see the remark of the *Correctores Romani*, on c. 4, Dist. 34, where this canon is quoted); but not so in the first part, as such concubinage could only take place between unmarried persons.

[2] In the third volume of their edition of the works of Leo I. p. xcii.

the pseudo-Isidorian collection,[1] and Baronius discovered from a manuscript that this Synod took place on the sixth of the Kalends of June, after the consulate of Cæsarius and Atticus, *i.e.* in 398. But a fresh comparison of manuscripts showed that *XVI.* or *XVII. Kal. Julias post consulatum Stiliconis* was the right reading, and this gives us the 15th or 16th of June of the year 401.[2] This agrees admirably with the fact that Dionysius Exiguus, in his *Codex Can. Eccl. Afric.* after canon 56, also mentions a Carthaginian Synod of the same date, of which he gives in part the same account as we find in the pseudo-Isidore.[3] I say, in part; for of the fifteen canons given by the pseudo-Isidore, only the two first belong to this Synod, while the other thirteen belong to the sixth Carthaginian Synod, also held in 401. This appears from the fact that the more accurate Dionysius Exiguus ascribes the two first canons (Nos. 59 and 62 of the African collection) to the one Carthaginian Synod, and the other thirteen (Nos. 63–75) to the other Synod of the year 401.[4] We have, however, not only these two, but seven other canons of the Synod held in June 401, which Dionysius has again preserved to us under the numbers — 57, 58, 60, 61, 63, 64, 65.[5] The contents of these nine canons of the fifth Carthaginian Synod are as follows:—

Bishop Aurelius of Carthage, in an introductory address, speaks of the prevailing dearth of clergy in Africa, and says that an envoy should be sent to the bishops on the other side of the ocean, especially to Pope Anastasius and Bishop Venerius of Milan, to beg their assistance in this distress.

Can. 1 (57 in the *Codex Can. Eccl. Afric.*). Children of Donatists may, as has been already declared, be ordained after joining the Church.[6]

Can. 2 (58). The Emperors shall be entreated to have the heathen temples still existing in Africa destroyed.

[1] In Mansi, t. iii. pp. 968, sqq.; Hard. t. i. pp. 986, sq.

[2] Cf. Pagi, ad ann. 401, n. xxi.

[3] In Mansi, t. iii. pp. 752, sqq.; Hard. t. i. pp. 894, sqq.

[4] Mansi, t. iii. pp. 766, sq. and 770, sqq.; Hard. t. i. pp. 898, sqq.

[5] See Mansi, t. iii. pp. 763, sqq.; Hard. t. i. pp. 895, sq.

[6] Van Espen (*Commentar. in Canones*, etc., Colon. 1755, pp. 340, sqq.) gives an explanation of this and the following canons.

CAN. 3 (59). If a lawsuit is brought before an ecclesiastical court, and one party is not satisfied with the ecclesiastical decision, the ecclesiastic who has been the judge may not be summoned as witness in the matter before the secular court. In general, no ecclesiastic may be compelled to appear as witness before a secular court. (This is the first of the fifteen canons in pseudo-Isidore.)

CAN. 4 (60). No heathen banquets may take place for the future.

CAN. 5 (61). On Sundays and feast-days no plays may be performed.

CAN. 6 (62). No one may defend a cleric deposed by sentence of the bishops. (Can. 2 in pseudo-Isidore.)

CAN. 7 (63). An actor who has become a Christian may not be brought back or compelled by any one to return to his former occupation.

CAN. 8 (64). The Emperor shall be prayed to grant the emancipation of slaves *in Ecclesia* in Africa also.

CAN. 9 (65). The condemnation of Bishop Equitius is repeated.[1]

About three months after the fifth Carthaginian Synod the sixth took place, again in the *Secretarium Basilicæ Restitutæ*, on the Ides of September, under the Consuls Vincent and Flavius, viz. on the 13th September 401. The Ballerini have collected its Acts by a comparison of pseudo-Isidore, Dionysius, Ferrandus, and the quotations of the Carthaginian Council of 525.[2]

Dionysius gives the *proœmium* of the Acts before No. 66 of the African *Codex*, and this contains the date, and the information that at the opening of the Synod Bishop Aurelius of Carthage read aloud a letter of Pope Anastasius, in which he exhorted the Africans to remain stedfast in the contest against the Donatists.[3]

CAN. 1 also discusses the subject of the Donatists. It appears from Ferrandus that what Dionysius divides into two numbers (Nos. 66 and 67) originally formed only one canon, which ordered that the Donatists should be dealt with gently;

[1] See below, p. 425. [2] Ballerini, *l.c.* pp. xcii., sqq.
[3] Mansi, t. iii. p. 770; Hard. t. i. p. 899.

but that at the same time the secular judges should be requested to take judicial protocols concerning the violent acts of the Maximianists (a party among the Donatists).[1]

Can. 2 (No. 68 in Dionysius). Donatist clergy shall, if necessary for the restoration of peace in the Church, retain their position, although a Council of the Transmarine Bishops has given a stricter decision.[2]

Can. 3 (No. 69). Emissaries shall be sent to the Donatists to induce them to return to the Church. It shall also be represented to them that they should practise the same mild treatment towards their sectaries, the Maximianists, as that for which they so greatly blamed the Catholic Church.

Can. 4 (No. 70 in Dionysius; No. 3 in pseudo-Isidore). Bishops, priests, and deacons may have no intercourse with their wives, or they will be deposed from their office. The rest of the clergy, however, are not bound to such continence.

Can. 5 (not found in Dionysius; No. 4 in pseudo-Isidore). No Church property may be sold without the consent of the primate of the province.

Can. 6 (No. 71 in Dionysius; No. 5 in pseudo-Isidore). No one may forsake his Church in order to pass over to another, or neglect it for any length of time.

Can. 7 (No. 72 in Dionysius; No. 6 in pseudo-Isidore). Children of whom it is uncertain whether they have been baptized, shall be baptized without delay.

Can. 8 (No. 73 in Dionysius; No. 7 in pseudo-Isidore). The day for the feast of Easter shall be universally published by *literæ formatæ;* with regard to the General Council, it shall take place at the time determined upon by the Synod at Hippo, viz. on the 23d of August,[3] and the primates of the several provinces shall so arrange their Provincial Synods that they may not interfere with the holding of the General Council.

Can. 9 (74 in Dionysius; 8 in pseudo-Isidore). If a bishop

[1] I have entered more fully into the case of the Maximianists, those Donatist rigorists whom the Primians opposed, in the *Kirchenlexicon* of Wetzer and Welte, vol. iii. p. 259. Van Espen (*Commentar. l.c.* p. 346) gives an explanation of this and the following canons.

[2] See above, p. 400, canon 37.

[3] See above, p. 402.

is also administrator (*intercessor* or *interventor*) of another diocese, he may not hold this office for more than a year.

CAN. 10 (75 in Dionysius; 9 in pseudo-Isidore). The Emperors shall be prayed to appoint, in union with the bishops, protectors (*defensores*) for the Church.

CAN. 11 (76 in Dionysius; 10 in pseudo-Isidore). The bishops shall not, without reason, be absent from the Councils; every primate (metropolitan) shall divide his province into two or three districts, and shall send deputies from each of them to the General Council. Those who cannot give any excuse for their absence must be satisfied with the communion of their own Church (*i.e.* they are not actually excommunicated, but excluded for a time from intercourse with their colleagues).[1] Dionysius adds as No. 77 the following canon: Cresconius, Bishop of Villa Regis, shall be summoned to appear without fail at the next General Council. Isidore and Ferrandus, however, have not this canon, and in all probability it only formed an appendix to canon 11.

CAN. 12 (27 in Dionysius, who placed it among the canons of the African Synod of 419; 11 in pseudo-Isidore). Deposed priests or deacons may not receive the laying on of hands, as do the penitents or the faithful laity (that is, out of consideration for their office they may not be placed under any public penance); a rebaptized person may on no account be ordained.[2]

CAN. 13 (79 in Dionysius; 12 in pseudo-Isidore). Ecclesiastics against whom charges are brought must defend themselves within the space of a year. No. 78 in Dionysius probably formed an appendix to this canon or the preceding one, and orders that a commission (among whom was S. Augustine) should be sent to Hippo-Diarrhytus (*Dirutum*) to set in order the Church of that place, disturbed by the crimes of Bishop Equitius, and to appoint a bishop there.[3]

CAN. 14 (80 in Dionysius; 13 in pseudo-Isidore). A bishop

[1] According to canon 7 of the second series of the *Breviarium* of the canons of Hippo of 393 (*supr.* p. 397), a bishop in such a case was also excluded from communion in his own diocese. Cf. canon 20 of the fourth General Council of Chalcedon.

[2] Concerning the meaning of this canon, cf. Van Espen, *Comment.* etc., p. 321.

[3] Cf. above, p. 423.

may not ordain a monk from a strange monastery (belonging to another diocese), nor may he make him the superior of his own monastery.

CAN. 15 (81 in Dionysius; not found in pseudo-Isidore). A bishop may not make heathen or heretical relations his heirs under pain of anathema, to which he shall become subject even after his death. He shall also take care in good time that his heirs by law do not inherit, if they are heathens or heretics.[1]

CAN. 16 (82 in Dionysius; wanting in pseudo-Isidore). The Emperor shall be prayed to allow the emancipation of slaves *in Ecclesia*.[2]

CAN. 17 (83 in Dionysius; 14 in pseudo-Isidore). No *memoriæ martyrum* (martyr chapels) shall be tolerated that do not contain relics of the martyr in question, or do not bear some distinct historical relation to him, as being the place of his birth, death, etc.

CAN. 18 (84 in Dionysius; 15 in pseudo-Isidore). The Emperors shall be prayed everywhere to exterminate the remnants of idolatry.[3]

CAN. 19 (85 in Dionysius). The Synodal Letters shall be dictated and signed by the Bishop of Carthage in the name of all.

As we have already seen, this sixth Carthaginian Synod took place on the 13th September 401; in the same year, on the 22d September, a synod was also held at Turin, which used to be wrongly ascribed to the year 397.[4] Of this synod we possess another Synodal Letter addressed to the Gallican bishops, containing the following eight canons:[5]—

CAN. 1. The Bishop Proculus of Marseilles, who claims the primacy of the second *Provincia Narbonensis*, shall have this precedence only in his own person, not for his See; for his city does not belong to that province.[6]

CAN. 2. With regard to the dispute of the Bishops of Vienne

[1] Cf. *supr.* p. 392. Concerning the anathema pronounced upon the dead, cf. Kober, *Kirchenbann*, etc., p. 91.

[2] Cf. *supr.* p. 423. [3] Cf. *supr.* p. 422.

[4] Cf. the remarks of Mansi, t. iii. p. 863.

[5] In Mansi, t. iii. pp. 859 sqq.; Hard. t. i. pp. 958, sq.

[6] Remi Ceillier has more concerning this in his *Histoire des Auteurs Sacrés*, etc., t. x. pp. 706, sq.

and Arles concerning the primatial dignity, the Synod decided that he should be primate who could prove his city to be the metropolis.[1]

CAN. 3. Irregular ordinations are most strictly forbidden.

CAN. 4. The sentence of Bishop Triferius (his See is unknown) against the layman Palladius, who had injured a priest of the name of Spanus, is confirmed.

CAN. 5. The sentence of the same Bishop Triferius against the priest Exuperantius, who had reviled his bishop, and therefore by him *communione dominica privatus erat* (according to Kellner,[2] *communione clericali*), is also confirmed.

CAN. 6. Those Gallican bishops who renounced communion with Felix of Trèves (the friend of the Ithacians) shall be received into the communion of the Synod, in accordance with the letter of Ambrose of blessed memory, and of the Pope.[3]

CAN. 7. No bishop may receive a strange or deposed cleric into his Church.

CAN. 8. No one who has been ordained irregularly, or has begotten children while discharging the ministry of the Church, may be promoted to any higher grade.

The Synod held at Mileve on the 27th August 402, under Archbishop Aurelius, before the Carthaginian Synod under Boniface, is designated as the seventh African Synod. Its canons are cited by Dionysius Exiguus and pseudo-Isidore; but the latter has erroneously joined the decisions of three later Synods at Carthage, in 405, 407, and 418, with the canons of Mileve, and has made a spurious addition to the preface of the Synod.[4]

We find the genuine Acts of this Synod in Dionysius, in Nos. 85–90 of the African *Codex*,[5] and in part also in the citations of the Carthaginian Synod under Boniface, abridged by Ferrandus.[6] In the *proœmium*, which is designated by Ferran-

[1] Cf. Remi Ceillier, *l.c.* p. 707. Concerning this canon Peter de Marca says: "Ex eodem canone colligitur, hanc prærogativam illi episcopo deberi in unaquaque provincia, qui eam civitatem obtinebat, quæ in laterculo imperii metropolis dignitate fruebatur." P. de Marca, *De Primatu Lugdun.*

[2] Kellner, *Das Buss-und-Strafverfahren*, etc., Trèves, 1863, p. 58.

[3] Cf. *supr.* pp. 386, 392.

[4] Baller. *l.c.* p. xciv. n. 1.

[5] Mansi, t. iii. pp. 183, sqq., and p. 1139; Hard. t. i. pp. 907, sqq.

[6] These Acts also were first placed in right order by the Ballerini, *l.c.*, who were followed by Fuchs, *Biblioth. der Kirchenvers.* vol. iii. pp. 120, sqq.

dus the first canon, it is said that the Synod was held on the 27th August, when the two Emperors Arcadius and Honorius were consuls for the fifth time (in 402), in the *Secretarium* of the Basilica at Mileve, under the presidency of Aurelius of Carthage, as a *Concilium Universale* (sc. *Africæ*). Aurelius opened it with an address, and then caused the Acts of the Synods of Hippo and Carthage (probably of 401) to be read, and they were once more accepted and signed. It was then decided in canon 1 that the younger bishops should not assume superiority over the elder ones, and were not to act without their advice;[1] also that the register and the archives of Numidia should be preserved in the *prima sedes* as well as in the (civil) metropolis (Constantine).[2]

Can. 2 (87 and 88 of the *Codex Can. Eccl. Afric.*). Bishop Quodvultdeus, who would not answer before the Synod, shall be shut out; but he must not be deposed until his affair has been investigated.[3] Bishop Maximian of Vaga (*Vagiensem*, not *Bagajensem*, is the right reading) shall resign his post, and the community shall elect another.[4]

Can. 3 (89). In order that in future there may be no more disputes among the bishops as to seniority, the date shall be given in exact chronological order in the registers of ordinations.[5]

Can. 4 (90). He who has officiated as reader in a church, even if it be only once, may not be received by another into the clerical body.[6]

Sec. 114. *Roman Synod under Innocent* I. *in* 402.

At about the same time as the Synod at Mileve a Synod was also held at Rome, under Pope Innocent I., of which we

[1] In Africa the bishop who had been longest ordained was the superior of the others, and was called "episcopus primæ sedis;" cf. *supr.* p. 396, n. 7.

[2] On this, cf. Marca, *De Primatibus*, p. 11, in the appendix to *De Concord. Sacerd. et Imperii*; and Van Espen, *Commentar. l.c.* p. 357.

[3] Cf. Van Espen, *l.c.* p. 358.

[4] He had formerly been a Donatist but had returned to the Church. When divisions arose in Vaga on his account, he himself, in a letter to the Synod, offered his resignation. Cf. *Epist. SS. Alypii et Augustini*, viz. *Ep.* lxix. of the Letters of S. Augustine, t. ii. p. 238, ed. Migne; and Van Espen, *l.c.* p. 358.

[5] Cf. above, canon 1.

[6] Cf. Van Espen, *l.c.* p. 359.

still possess sixteen canons, containing answers to questions of the Gallican bishops.[1]

CAN. 1. If a virgin who has taken the veil has committed an act of unchastity, or, in order to hide her sin, has called the partner of her guilt "husband," a penance of many years shall be imposed upon her.

CAN. 2. A virgin who has not yet taken the veil, but has resolved to remain in virginity, and has nevertheless had intercourse with a man, shall also have a long penance imposed upon her.

CAN. 3. Bishops, priests, and deacons must remain unmarried.

CAN. 4. Those who, after becoming Christians, have served in war shall not be ordained, because of the loose morals associated with the life of a soldier.[2]

CAN. 5. Persons baptized in childhood who have always remained chaste, or those baptized as adults who have remained modest and only married once, may become ecclesiastics, but not those who have (since their baptism) been unchaste. This is the practice of the Roman Church.

CAN. 6. One creed and one discipline shall prevail among all Catholic bishops.

CAN. 7. During Eastertide the presbyter and the deacon may baptize in place of the bishop; but at other times, in a case of necessity, only the priest may baptize, not the deacon.

CAN. 8 is not very comprehensible on account of the corruption of the text, but it treats of the exorcism of the oil to be consecrated.

CAN. 9. No Christian may marry his deceased wife's sister, nor besides his wife have a concubine.

CAN. 10. Those who have filled a magisterial office may not—on account of the sins almost necessarily involved in it —become ecclesiastics without previously doing penance.

CAN. 11. It is not permitted to marry the wife or the son of an uncle.

CAN. 12. No one shall be consecrated bishop without previous clerical ordination.

[1] Mansi, t. iii. pp. 1133, sqq.; Hard. t. i. pp. 1081, sqq.
[2] The text is not distinct.

CAN. 13. A bishop who passes over to a strange Church shall be deposed.

CAN. 14. A strange cleric who has been deposed by his own bishop may not be elsewhere received, even to lay communion.

CAN. 15. No bishop may interfere in the diocese of another, or ordain earlier than others, or hinder the metropolitan in his business.

CAN. 16. Laymen excluded by their own bishop may not be elsewhere received among the clergy.

SEC. 115. *Persecution of S. Chrysostom; "Synodus ad Quercum" in* 403, *and Synod at Constantinople in* 404.

We have already seen Theophilus of Alexandria to be an opponent of the Origenists. At a synod at Alexandria in 399, he had anathematized the doctrines of Origen and his adherents, *i.e.* the Long Brothers,[1] with the exception of Dioscurus, and had soon afterwards driven from their homes more than three hundred Egyptian monks of Origenist views. The greater number fled to Palestine; but about fifty, among whom were the Long Brothers, went to Constantinople (401), where they were very kindly received and supported by S. Chrysostom, who also interceded for them with Theophilus, but he would not admit them to the holy communion, because they were banished by their own bishop. Theophilus refused to pardon them, and sent instead persons authorized to accuse them to Constantinople, and was displeased with S. Chrysostom, because he had been told, wrongly, that he had formally received the monks into communion. As, however, the monks who had fled to Constantinople brought heavy accusations against Theophilus to the ears of the Emperor Arcadius, he demanded that Theophilus should himself come thither to justify himself against these accusations before Chrysostom;

[1] These were four very learned Egyptian monks and ecclesiastics, formerly intimate friends of Theophilus. Their names were: Dioscurus (consecrated Bishop of Little Hermopolis), Ammonius, Euthymius, and Eusebius. Cf. my treatise on the Origenist controversy in the *Kirchenlexicon* of Wetzer and Welte, vol. vii. p. 847.

but in the meantime the accusers, as they could not bring sufficient proof against Theophilus, were kept in prison until their opponent should appear, and it should be proved whether they had slandered him or not. Theophilus purposely delayed his departure for Constantinople, and persuaded the over-zealous Bishop Epiphanius of Salamis in Cyprus, then ninety years old, to go on before him and open the campaign against the Origenists in Constantinople. This happened in the winter of 402. Immediately upon the arrival of Epiphanius, Chrysostom sent the clergy to meet him; but he entirely refused to enter into communion with him, until he had driven away the Long Brothers, and subscribed to the anathema upon Origen. Chrysostom replied that "the coming Synod should decide the question." Epiphanius, however, endeavoured to draw the other bishops then at Constantinople away from Chrysostom to his own side, and would even have preached publicly against him. But Chrysostom had it represented to him how easily the people might ill-treat him for so doing, and Epiphanius then not only relinquished his purpose, but even became reconciled to the Long Brothers, declared that he had been instigated to attack them, and at once took ship again for Cyprus, but died while still at sea in 403. Soon after this Theophilus came himself to Constantinople, bringing with him a considerable number of Egyptian bishops; and entering into a secret understanding with the enemies of Chrysostom (of whom there were many), especially with the Empress Eudoxia, and the Bishops Acacius of Berœa, Antiochus of Ptolemais, Severian of Gabala, and others, he gained over in a few weeks many of the most powerful men at Court, and finally, instead of appearing as the accused before Chrysostom, obtained permission from the Emperor to assemble a Synod himself, and summon Chrysostom to appear before it. But as the latter was exceedingly beloved in his diocese, it was thought advisable that the Synod directed against him should not be held at Constantinople, but near Chalcedon, on an estate *ad quercum* (ἐπὶ δρῦν) which belonged to the Imperial Prefect Rufinus, and comprised a palace, a large church, and a monastery.[1] Here assembled thirty-six bishops, under the

[1] Sozom. viii. 17.

presidency of the Exarch Paul of Heraclea, all personal enemies of Chrysostom.[1] Socrates as well as Sozomen state that at this Synod the subject of Origenism was never discussed,[2] but that the monks who had fled from Egypt were called upon to beg Theophilus for pardon and reception, and that they were weak enough to do so; which would certainly not have been the case if Dioscurus and Ammonius, or any of the Long Brothers, had been present. But Dioscurus had died before the opening of this Synod. Ammonius had indeed arrived *ad quercum*, but so ill that he died there in the monastery almost immediately. This made such an impression upon Theophilus, that he even pronounced great panegyrics upon him after his death.

The second business of the Synod was, according to Sozomen, the investigation directed against S. Chrysostom, concerning which Photius, who had read the Acts of the Synod, relates as follows:[3]—

This Synod, at which the accusers were both judges and witnesses, had thirteen sessions, twelve of which were directed against Chrysostom, and the last against Heraclides, whom he had consecrated Bishop of Ephesus. The Synod could not, however, accomplish his deposition. The chief accuser of Heraclides was Macarius, and of Chrysostom, his deacon John. The latter brought forward the following charges:—

1. Chrysostom had unjustly shut him out because he had beaten his servant Eulalius.

2. A certain monk, John, had been beaten by order of Chrysostom, and chained like a demoniac.

3. Chrysostom had sold many valuable articles (belonging to the Church).

4. Also the marble intended by his predecessor Nectarius for the church of Anastasia.

5. He had reviled the clergy.

6. He had called S. Epiphanius a fool and a demon.

[1] Cf. Photii, *Biblioth.* Cod. 159; printed in Mansi, t. iii. p. 1142; Hard. t. i. p. 1038.

[2] Socrat. vi. 15; Sozom. viii. 17.

[3] *Biblioth.* Cod. 59, printed in Mansi, t. iii. pp. 1141, sqq.; Hard. t. i. pp. 1037, sqq.

7. He had formed intrigues against Severian (Bishop of Gabala), and set the *decani* against him.[1]

8. He had written a book full of abuse of the clergy.

9. At an assembly of all the clergy he had summoned three deacons, and accused them of having stolen his *ὠμοφόριον* (stole).

10. He had consecrated Antonius bishop, although he violated people's graves.

11. He had betrayed the Count John in a meeting of soldiers.

12. He did not pray either on entering or leaving the church.

13. He had ordained priests and deacons without an altar (not standing at the altar).

14. He had consecrated four bishops at once.

15. He received visits from women without the presence of witnesses.

16. He had sold the inheritance bequeathed by Thecla.

17. No one knew to what purpose the revenues of the Church were applied.

18. He had ordained Serapion priest at a time when the latter had still to clear himself of an accusation.

19. He had imprisoned persons who were in communion with the whole world, and when they died in prison had not even provided for their burial.

20. He had treated Acacius (Bishop of Berœa) with arrogance, and spoken no word to him.

21. He had delivered the priest Porphyry to the Imperial officer Eutropius for banishment.

22. Also the priest Berenius.

23. He bathed alone.

24. He had ordained many without witnesses.

25. He ate alone, and as immoderately as a Cyclops.

26. He was himself accuser, witness, and judge, as was shown in the case of the proto-deacon Martyrius and the Bishop Proairesius of Lycia.

[1] On *δικανοί*, cf. Suicer's *Thesaur.* t. i. p. 835. By *δικανοί* was generally understood monastic superiors, of whom the Church (diocese) of Constantinople numbered no less than 950.

27. He had still celebrated divine service after having struck Memnon in the face, in the Church of the Apostles, so that he bled at the mouth.

28. He unrobed on the episcopal throne, and ate a "pastile."[1]

29. He made the bishops whom he consecrated presents of money, in order thus (by this expenditure) to oppress the clergy.

After these charges had been brought forward, Chrysostom was four times cited, as Photius briefly states. Palladius, the biographer of Chrysostom, who relates this more fully, says that Theophilus sent three members of his Synod to Constantinople to invite Chrysostom, and they delivered to him the following very laconical letter:—

"The holy Synod at the Oak to John. Letters complaining of countless offences committed by you have been delivered to us. Appear, therefore, and bring with you the priests Serapion and Tigrius, for they are wanted."[2]

But Chrysostom also had assembled forty bishops at a Synod, and they now sent three of their number and two priests with the following letter to Theophilus: "He should not disturb the Church; and if, in spite of the Nicene rule, he wanted to settle a dispute beyond his diocese, still he should come to Constantinople, and not, like Cain, entice Abel into the field. He should first be called to account himself, for there was an indictment against him containing seventy charges. There were also more bishops assembled at Constantinople than at the Oak, where there were thirty-six, almost all from one province (Egypt), while at Constantinople there were forty, and among them seven metropolitans.[3] Besides this, Chrysostom also wrote privately to the bishops at the Oak, that "if they desired that he should appear, they should first of all exclude from the Synod his declared enemies, *i.e.* Theophilus of Alexandria, Acacius of Berœa, Severian of Gabala, and

[1] Palladius relates that Chrysostom had advised the faithful after Communion to drink water, or to eat a "pastile" (little cake), in order not to spit out any of the Sacrament. He had been accused on this point also, and this was the only true accusation. Mansi, t. iii. p. 1150.

[2] Mansi, t. iii. p. 1150.

[3] From Palladius in Mansi, *l.c.* p. 1150.

Antiochus of Ptolemais. If these were sent away, he would most surely appear wherever they desired; but if not, he would not appear, even if they sent ten thousand times to him."[1]

Soon after this a notary came to him with an Imperial decree, to the intent that "he must appear at the Synod;" and at the same time, two disloyal ecclesiastics of his own diocese, the priest Eugenius (immediately afterwards, as a reward for his treachery, made Bishop of Heraclea) and the monk Isaac, brought a fresh summons from the Synod. Chrysostom complained of this in a brief and dignified manner, and sent his authorized representatives to the Synod. They were roughly treated, and the process against him was put into full swing.[2]

As Photius further relates, the first and second charges were now investigated, when the monk John, mentioned just now,[3] came forward and accused Bishop Heraclides of being an Origenist, and of having been apprehended at Cæsarea in Palestine for having stolen the clothes of the deacon Aquilinus, notwithstanding which Chrysostom had consecrated him Bishop of Ephesus. He then directed his complaints against Chrysostom, at whose command he had been made to suffer much from the priest Serapion, on account of the Origenists. This led to a discussion of the ninth and twenty-seventh charges. Bishop Isaac then came forward, accused Heraclides of Origenism, and affirmed that S. Epiphanius had held no communion with him. At the same time, he handed in the following list of charges against S. Chrysostom:—

1. The monk John had been beaten and put in chains on account of the Origenists.

2. Also, on account of the Origenists, Epiphanius would hold no communion with Chrysostom.

3. Chrysostom ate alone every day, and used no hospitality.

4. He used expressions (from heathen poetry) in church, such as, "The table is full of furies;" and

5. "I burn with love, and am mad."

[1] From Palladius in Mansi, *ll.* p. 1151.

[2] Mansi, *l.c.*

[3] Cf. *supr.* p. 432, No. 2.

6. Such expressions ought to be explained.

7. He gave permission to sin, for he taught: "If thou hast sinned again, repent again;" and, "As often as thou hast sinned, come to me and I will heal thee."

8. He had blasphemously maintained that "Christ's prayer was not heard, because He did not pray aright."

9. He excited the people to rebellion even against the synods.

10. He had received several heathens, great enemies of the Christians, and given them protection and defence in the church (when in peril of death they sought asylum there).

11. He consecrated bishops in strange provinces.

12. He had treated bishops with arrogance.

13. He had ill-treated clerics in quite new ways, and by force appropriated to himself inheritances bequeathed to others.

14. He had held ordinations without assembling the clergy, and without their consent.

15. He had received the Origenists; while, on the other hand, he would not release from prison persons who were in communion with the Church, and came to him with letters of recommendation, nor even acknowledge them after their death.

16. He had consecrated as bishops foreign slaves, not yet emancipated.

17. He had often ill-treated the accuser (Isaac) himself.

Of these fresh accusations the first had really been already discussed, therefore the second and seventh charges were specially investigated, and then the third of the former list, in which the arch-presbyter Arsacius (afterwards the successor of Chrysostom) and the priests Atticus and Elpidius came forward as witnesses against him. They and the priest Acacius also gave evidence on the fourth charge.

After these had been heard, Bishop Paul of Heraclea, as President of the Synod,[1] demanded that each member should state his opinion; and from Bishop Gymnasius, who voted first,

[1] Theophilus did not occupy the post of President, probably in order to appear just and tolerant, because Chrysostom had brought counter charges against him and others.

to the last, Theophilus, they unanimously decided on the deposition of Chrysostom. There were in all now forty-five of them.[1] A Synodal Letter was forthwith issued to the clergy at Constantinople concerning the deposition of Chrysostom, and also a letter to the Emperor, with still further charges against him. Thus ended the twelfth session; the thirteenth treated of the affair of Heraclides of Ephesus.

Thus Photius relates; Palladius, however, says that the Synodal Letter to the Emperor (addressed in the official form to both Emperors) ran thus: "Because John (Chrysostom), when accused of several offences, being conscious of his guilt would not appear, he has been, in accordance with the law, deposed (for contumacy). But the charges against him also involve the crime of high treason.[2] Therefore of your goodness command that he may be banished, and may suffer the punishment of high treason; for the investigation of this point does not belong to us."[3]

Theophilus sent a commission to inform Pope Innocent also of the synodal decision. He, however, disapproved of what had been done, as is proved by a letter from him to Theophilus, which we still possess.[4] But the Emperor Arcadius pronounced the sentence of banishment upon Chrysostom, which roused such indignation among the inhabitants of Constantinople, that the holy bishop, in order to hinder a threatened insurrection of the people, secretly escaped from his devoted adherents who had assembled round him in the church, and gave himself up voluntarily to the police officer who was to take him in charge. He was first shipped over to the town of Prænetos in Bithynia, where further arrangements concerning him were to be made; but a disturbance among the people, and an earthquake which had just taken place, and which was regarded as the judgment of God, so alarmed the Emperor, and still more the Empress, that the latter in an autograph letter besought the exile to return with the utmost speed. Thus a few days after his departure Chrysostom again returned to Constantinople, and

[1] *I.e.* five more than at the beginning.
[2] Because he had called the Empress a Jezebel.
[3] Mansi, t. iii. p. 1151. [4] Mansi, t. iii. p. 1095.

was received with great rejoicings. He would not, however, resume his office until he should have been declared innocent by a larger synod. He therefore retired to a country place near Constantinople; but the people obliged him to return to the city, conducted him into the church, and did not rest until he again ascended the episcopal throne. He still continued to repeat his desire for a synod, until the Emperor promised to grant his request; but Theophilus and the other accusers fled, and thus, greatly to his disadvantage, the much wished for assembly did not take place.

Only two months after this a fresh storm broke out against Chrysostom, which resulted in a second synod directed against him. Close to his episcopal church (of S. Sophia) a magnificent silver statue of the Empress had been erected amid noisy festivities, plays and dances, and the servile disposition of the Orientals found vent in semi-idolatrous acts of reverence before the statue. Chrysostom declaimed against this in a sermon, and thus offended afresh the hardly reconciled princess. The feast of the Beheading of S. John the Baptist (Aug. 29) fell soon afterwards, and a fresh sermon poured oil on the flames, as Chrysostom, it is said, distinctly compared the Empress to Herodias, who demanded the head of S. John—his own name being John.

The consequence was, that the synod, which he had always demanded in vain, was now at once summoned to Constantinople; and not only his own enemies, but even many who were indifferent, and in true Byzantine fashion were guided by the breath of the Court, appeared against him. Theophilus of Alexandria did not indeed himself appear, but he had given the synod evil advice which it faithfully followed: it did not enter at all into the points of complaint against Chrysostom, but deposed him by the canonical previous question, viz. by application of the fourth and twelfth canons of the Antiochian Synod of 341. According to these, a bishop who, after being deposed by one synod, reascends his throne without being reinstated by another synod, is to be for ever deposed.[1]

Chrysostom challenged the authority of this Synod, as being an Arian one; but the majority without further discussion

[1] Cf. *supr.* pp. 68, 70.

pronounced his deposition, and the Emperor confirmed the sentence. Imperial officers informed him of this sentence, bearing at the same time the command that for the present he should not leave his house, or again enter the church. The people at Constantinople, however, decidedly took his part, and only frequented the services held by clergy who were his adherents. So came the Easter of 404; and on Easter Eve, when many thousands were assembled in the church with the candidates for baptism, the military forced their way in and hunted out the Johannites, as the adherents of Chrysostom were called, amid revolting deeds of violence and much bloodshed. Similar scenes were repeated on the following days; and Chrysostom himself was in danger of being assassinated in his own house. At last, five days after Pentecost, on the 9th of June 404, he was sent into exile, where he died in 407.[1]

Sec. 116. *From the Eighth to the Fifteenth Carthaginian Synods*, 403 *to* 410.

During and immediately after these events in Constantinople, several synods were again held in Africa, the first of which was the eighth, under Aurelius, at Carthage, in the Basilica of *Regio Secunda*, on the 25th August (*VIII. Kal. Sept.*) 403, under the consulate of the Emperors Theodosius and Rumoridus. What we still possess of this Synod is preserved in the African *Codex*, Nos. 90–92.[2] From thence we learn that S. Augustine was also present, and that the Synod began with an inquiry as to whether, in accordance with the decisions of former Councils, the prescribed number of bishops deputed from the several provinces of Africa were present. The two decrees still extant (91 and 92 of the African canons) refer to the Donatists, and rule as follows:—

Can. 1 (No. 91). Every bishop shall in his own city, either alone or in union with a neighbouring colleague, enter into communication with the heads of the Donatists, and, with

[1] Mansi, t. iii. pp. 1154, sq., 1158.

[2] Mansi, t. iii. pp. 787, sq., p. 1155; Hard. t. i. pp. 911, sq.; cf. Fuchs, *Bibl. der Kirchenvers.* vol. iii. pp. 125, sqq.

the assistance of the secular judges and magistrates, command them to choose on their side also deputies for a religious discussion. The letter to be addressed to the secular judges shall be signed by the Bishop of Carthage in the name of all.

Can. 2 (92). At the same time, Archbishop Aurelius submitted for acceptance the letter of summons to be issued to the Donatists, the purport of which was that Donatists as well as Catholics, each party at its own Council, should make choice of deputies who should treat in common concerning the points of difference, and, where it was possible, come to a brotherly agreement.

We observe that in this canon the church of Carthage, as holding the common primacy of all Africa, is called κατ' ἐξοχήν the *Ecclesia Catholica*, and the African General Council a *Concilium Catholicum*.

In June of the following year the ninth Carthaginian Synod took place, which again occupied itself with the affair of the Donatists, on whose account it sent the two bishops, Theasius and Evodius, to the Emperors Arcadius and Honorius. Of the Acts of this Synod we still possess, besides the *proœmium*, the instruction[1] given to the synodal deputies just mentioned, to this effect: "They should inform the Emperors (properly Honorius, as Emperor of the West) that the Donatists had not accepted the offer made to them in the previous year, and had chosen no deputies, but had, on the contrary, indulged in all kinds of acts of violence against bishops, clergy, and churches of the Catholics. To this should be joined the petition that the Emperors would extend their protection to the Church and its ministers, and that they would again enforce the penal laws against the heretics, issued by their father Theodosius." These deputies were at the same time entrusted with a letter from the Synod to the Emperors, signed by Aurelius in the name of all. In a second letter the secular judges were requested for the present, until an Imperial order was made, to protect the Catholics. Besides this, the deposition of Equitius, Bishop of Hippo-Diarrhytus,[2] was again pronounced; and lastly, letters of recommendation to the Bishop of Rome, and in general to the bishops of the place

[1] In No. 93 of the African canons. [2] Cf. above, p. 425.

where the Emperor was then staying, were also given to the deputies of the Synod.[1]

Before these deputies reached Honorius he had already been induced by the brutal deeds of the Donatists to publish a severe edict against them, and had threatened the Donatist laity with fines, and their clergy with exile Immediately after this, in February 405, he published a series of still more severe edicts, and especially commanded that the churches of the Donatists should be taken from them.[2] The consequence was, that at Carthage there were numerous conversions from Donatism; and on the 23d August 405 the tenth Carthaginian Synod was held, which, in the interest of a more comprehensive union, demanded that all provinces should send their deputies with full powers (*libera legatio*) to the projected Council of Union.[3] It was also resolved to request the secular judges to take steps in other provinces as well as Carthage for effecting a union of the Donatists with the Church. Letters of thanks for the exclusion of the Donatists (decreed by the Emperor) were also to be sent to the Court, and delivered by two Carthaginian ecclesiastics. Lastly, a letter of Pope Innocent I., no longer extant, was read, which said that "bishops should not lightly undertake journeys by sea," and to this the Synod agreed.

We learn all this from the extract of the Synodal Acts, which is given in the African *Codex*.[4] But the Ballerini suppose that another canon belongs to this Synod, viz. that which Isidore ascribes to the Synod of Mileve as its twenty-third.[5]

We have fuller accounts of the eleventh Carthaginian Synod, which was again held in the Basilica of the Second Region

[1] Mansi, t. iii. pp. 794, 1115; Hard. t. i. pp. 915, sq.; translated by Fuchs, *l.c.* pp. 131, sqq.

[2] Cf. LL. 38, 39, *Cod. Theodos. De Hæreticis*, and my treatise on the Donatists in the *Kirchenlex.* of Wetzer and Welte, vol. iii. p. 260.

[3] Cf. Van Espen, *Commentarius in Canones*, etc., p. 368. in his comments on the ninety-seventh canon of Africa.

[4] Under canons 93 and 94 in Mansi, t. iii. pp. 798, 799; Hard. t. i. pp. 918, 919; translated in Fuchs, *l.c.* p. 135.

[5] Baller. edit. *Opp. S. Leonis*, t. iii. p. xcv.

on the 13th June[1] 407, the Acts of which are found in the African *Codex*.[2] The decrees are as follows :—

Can. 1 (No. 95 in the African *Codex*). As the rule of the Council of Hippo, that a General Synod should be held annually, is too burdensome for the bishops, in future one shall be held only when necessary for the whole of Africa, and wherever appears most convenient. But the necessities of the several provinces shall be provided for at the Provincial Synods.

Can. 2 (96) is divided into three parts : (*a*) If there is an appeal from a sentence, both parties must appoint the judges of the new court; but there shall be no further appeal. (*b*) The embassies from Numidia are most thankfully received. (*c*) For the necessities of the Churches, five *executores* or *exactores* shall be demanded of the Emperor[3] to collect the revenues of the Church.

Can. 3 (No. 97). The Synodal deputies, Vincent and Fortunatius, sent to the Emperor, shall also beg that special advocates may be appointed for the Church. The deputies sent to the Court shall have a free *legatio*, *i.e.* full powers; and as Bishop Primosus, deputy of Mauretania Cæsariensis, did not appear, information shall be given to Innocent, the primate (*senex*) of that province.

Can. 4 (98). Communities which never had a bishop shall not possess one in future, except with the consent of the Plenary Council of each province, the Primate, and the Bishop to whose diocese the Church in question has hitherto belonged.[4]

Can. 5 (99). Communities which on their return from the sect of the Donatists had bishops of their own, may keep them without further permission ; but after the death of their former bishop they may give up forming a diocese of their

[1] "Idib. Juniis," not "Juliis," should be read, as is shown by the remark in Mansi, t. iii. p. 799, not. 4, and Hard. t. i. p. 919, *ad margin*.

[2] Between canons 94 and 106. In Mansi and Hard. *ll.cc.*; translated into German in Fuchs, *l.c.* pp. 137, sqq. Van Espen has a commentary on this, *Commentarius*, etc., pp. 365, sqq.

[3] Cf. Van Espen, *l.c.* p. 366.

[4] Thus at that time the right of founding new Sees was not reserved to the Pope. Cf. Van Espen, *l.c.* p. 368.

own, and may join another diocese. Those bishops who, before the publication of the Imperial edict of union,[1] have brought back Donatist communities to the Church may henceforth keep them; but after the publication of this law all communities, whether converted or unconverted, shall be claimed by the bishops of the place to which they formerly, while still heretics, (*de jure*) belonged. The same rule applies to the church utensils and rights.[2]

CAN. 6 (100). The Council appoints judges in the affair of Bishop Maurentius.[3]

CAN. 7 (101). Letters shall be addressed to Pope Innocent with regard to the division between the Roman and Alexandrian Churches (caused by the deposition of Chrysostom), that peace may be again restored.

CAN. 8 (102). Married people who have been separated may not marry again, but shall either be reconciled or live as divorced persons. A petition shall also be made for an Imperial decree on this subject.[4]

CAN. 9 (103). Only such forms of prayer as have been examined by the Synod, and compiled by enlightened persons, shall be used.[5]

CAN. 10 (104). If an accused ecclesiastic demands of the Emperor secular judges, he shall be deposed from his dignity; but he may of course demand of the Emperor an episcopal tribunal.

CAN. 11 (105). He who, having been excommunicated in Africa, creeps into communion elsewhere on the other side of the sea, shall be shut out of the clerical body.

CAN. 12 (106). Those who wish to travel to the Imperial Court must first obtain *litteræ formatæ* to the Bishop of Rome, and from him similar letters to the Court. These letters must state the reasons for the journey, and the date of the feast of

[1] Cf. *supr.* p. 441.

[2] Cf. Van Espen, *l.c.* pp. 368, sq.; Fuchs, *Biblioth. der Kirchenvers.* vol. iii. p. 140. This rule was abolished in 418; see below, sec. 119, canon 9.

[3] The text of this canon is much corrupted, and very difficult to be understood. Cf. Van Espen, *l.c.* pp. 369, 370.

[4] Cf. Van Espen, *l.c.* p. 370, and *Corpus Jur. Can.* c. 5, causa xxxii. quæst. 7, where this canon is adopted from Isidore as emanating from the Synod of Mileve.

[5] Cf. p. 398.

Easter. The deputies of the Council sent to the Emperor on account of the Donatists shall endeavour to obtain from him as much as they shall think good, and all Synodal Letters shall be signed by the Bishop of Carthage.[1]

Of the twelfth and thirteenth Carthaginian Synods, which took place in 408, the one on the 16th June and the other on the 13th October, we only know that they decided to send deputies to the Emperor regarding the affair of the Donatists. This short account is preserved in the African *Codex*, between canons 106 and 107.[2]

Here is also mentioned the fourteenth Carthaginian Synod, which took place in June 409, but which was only a provincial and not a general one. Only one decree is mentioned, viz. that one bishop alone should not give a decision.

In June of the following year, 410, the fifteenth Carthaginian Synod was celebrated, the only account of which is given in the African *Codex*, after canon 107. It was again decided to send an embassy to the Emperors, in order to obtain the recall of the edict of tolerance given by Honorius to all religious parties, including the Donatists.[3] The Emperor granted this request.[4]

Sec. 117. *Synods at Seleucia, Ptolemais, and Braga.*

According to Oriental accounts, in February of the same year, 410, in the eleventh year of the reign of the Persian king Isdegerdes, a Persian Synod was held at Seleucia-Ctesiphon.[5] The occasion of it is thus related in an old biography of Archbishop Isaac of Seleucia:[6] "King Isdegerdes, who so long and cruelly persecuted the Christians, became very ill, and in this distress he prayed the Emperor Arcadius to send him a skilful physician. The Emperor sent him the Bishop Maruthas from Roman Mesopotamia,

[1] Cf. Van Espen, *l.c.* p. 371.

[2] Mansi, t. iii. p. 810; Hard. t. i. p. 926; Fuchs, *l.c.* pp. 147, sqq.

[3] Mansi, t. iii. p. 310; Hard. t. i. p. 926.

[4] Cf. my treatise on the Donatists, *l.c.* p. 260.

[5] According to Muratori, in the year 405; but according to Assemani and Mansi, in 410. Cf. Mansi, t. iii. p. 1166.

[6] Assemani, *Biblioth. Orient.* Pars i. p. 366.

with a letter in which he prayed for mercy towards the Christians. The king recovered, and being full of gratitude, at the request of Maruthas he allowed the restoration of the Christian Church. Patriarch Isaac of Seleucia-Ctesiphon then immediately summoned forty Persian bishops to his cathedral for a Synod, at which Maruthas was also present."[1]

If doubts occur to us about this account, and therefore in general about the existence of this Synod (Arcadius having died in 408, could not therefore in 410 have sent an embassy and a letter to Isdegerdes), the supposed twenty-seven canons of the Synod are much more doubtful,[2] and the learned Muratori conjectured that Cardinal Frederick Borromeo of Milan, who bought a Latin translation of these pretended canons from a Syrian, had been imposed upon. The contents of these canons point to a forgery. Thus, *e.g.*, in the second canon the Procession of the Holy Ghost from the Father and the Son is directly stated, and other canons are plainly moulded on those of Nicæa, as for instance the fourth concerning the eunuchs, the fifth concerning the *συνεισακτοί*, and the third concerning the ordination of a bishop by at least three others. Besides, at a Synod of such great importance as this must have been, more important matters would surely have come under discussion.[3]

The Synod held by the renowned Bishop Synesius at Ptolemais in the Pentapolis (Africa), on account of the excommunication of the Governor Andronicus of Cyrenaica,[4] belonged to the year 411; this, however, was only a diocesan Synod.

In the collections of Councils *ad annum* 411 are also generally found the Acts of the *Collatio Carthaginensis*,[5] that religious discussion so remarkable in the history of the

[1] Mansi, *l.c.*

[2] Printed in Mansi, t. iii. pp. 1167, sqq., and t. vii. pp. 1181, sqq. Renaudot (*Liturg. Orient.* t. ii. p. 272) and the younger Assemani (in his *Biblioth. Codic. Oriental Flor.* p. 94) say that a codex with twenty-six canons of this Synod is to be found at Florence.

[3] Cf. Walch, *Historie der Kirchenvers.* pp. 257, sq.

[4] The Acts are in Mansi, t. iv. pp. 1, sqq. Cf. also *Tübing. Quartalschrift*, 1852, book i. pp. 148, sq.

[5] Mansi, t. iv. pp. 7–283. Hardouin, t. i. pp. 1043–1190, translated into German in Fuchs, *Bibl. der Kirchenvers.* vol. iii. pp. 151, sqq.

Donatist controversies, which took place in that year. As it did not, however, bear the character of a synod, it does not come within the range of this inquiry.[1]

We shall not either consider the short Acts of a Synod at Braga (in Spain, now belonging to Portugal) of 411, as they are universally acknowledged to be spurious.[2]

Sec. 118. *Synods concerning the Pelagians at Carthage, Jerusalem, Diospolis, Rome, and Mileve.*

The Pelagian controversies, just arisen, occasioned a series of new synods, and the first of these assemblies probably took place as early as 411.[3] The Ballerini have proved this date with tolerable accuracy, while Quesnel has decided for the year 412, and has drawn many historians to his side.[4]

Cælestius, the confidential friend of Pelagius, had gone from Rome, where, from the beginning of the fifth Christian century, they had together propagated their new doctrines, to Carthage, in order to become a priest there; but several zealous Catholics had warned Archbishop Aurelius of Carthage against him as a false teacher, and he now assembled a synod in his episcopal city, at which Cælestius was to appear. Its Acts have not been handed down to us complete, but two fragments of them were bequeathed us by S. Augustine and Marius

[1] More concerning it will be found in my treatise on the Donatists in the *Kirchenlexicon* of Wetzer and Welte, vol. iii. pp. 260, sqq.

[2] Printed in Mansi, t. iv. pp. 287, sqq.; Hard. t. i. p. 1190; on this, cf. Walch, *l.c.* p. 260, and Remi Ceillier, *l.c.* t. xii. pp. 708, sqq.

[3] Learned men have treated much of the origin of the Pelagians. To me their fundamental doctrine, that "man is virtuous entirely of his own merit, not of the gift of grace," seems to be a rehabilitation of the general heathen view of the world. Thus Cicero says: "For gold, lands, and all the blessings of life, we have to thank the gods; but no one has ever thanked the gods for his virtues." "Virtutem autem nemo unquam acceptam Deo retulit." *Cic. de Nat. Deorum*, lib. iii. c. 36. Cf. Kuhn, *Quartalsch.* 1846, pp. 226, sq. Modern Paganism takes quite the same view. Once when I was in company with a Protestant Rationalistic member of the Government, and among other things remarked that, "without the grace of God, virtue is impossible to us," that gentleman replied, "That may be so in the Catholic dogma, but all well-educated Protestants are of quite another opinion." If Luther had heard this!

[4] See the Ballerini edition of the works of S. Leo, t. iii. p. 846, n. v.

Mercator.[1] The Milanese deacon Paulinus, the same who shortly afterwards, at the desire of Augustine, wrote the Life of S. Ambrose, appeared as the chief accuser of Cælestius. He handed to the Archbishop Aurelius of Carthage a written account of the heresies of Cælestius, which Marius Mercator still possessed, and which, as he says, mentioned the following six chief points of error:—

1. Adam would have died, even if he had not sinned (*Adam mortalem factum, qui sive peccaret sive non peccaret, moriturus fuisset*).

2. The sin of Adam injured himself alone, and not all mankind (*quoniam peccatum Adæ ipsum solum læsit, non genus humanum*).

3. New-born children are in the same condition in which Adam was before the Fall (*quoniam parvuli, qui nascuntur, in eo statu sunt, in quo fuit Adam ante prævaricationem*).

4. It is not true that because of the death and sin of Adam all mankind die; neither is it true that because of Christ's resurrection all men rise again (*quoniam neque per mortem vel prævaricationem Adæ omne genus hominum moriatur, nec per resurrectionem Christi omne genus hominum resurget*).

5. The Law leads to heaven as well as the Gospel (*quoniam Lex mittit ad regnum cælorum quomodo et Evangelium*).

6. Even before the coming of Christ there were men who were entirely without sin (*quoniam et ante adventum Domini fuerunt homines impeccabiles*, i.e. *sine peccato*).[2]

[1] S. Aug. *De Gratia Christi et Peccato Orig.* lib. ii. c. 2, 3, 4, and Marius Mercator in his *Commonitorium super Nomine Cœlestii*, etc. Both these fragments of Augustine and Marius Mercator are printed in Mansi, t. iv. pp. 290, sqq.; the former also in Hard. t. i. p. 2001 (really 1201).

[2] The text of the six propositions of Celestius is given by Marius Mercator in his work, *Commonit. super Nomine Cœlestii*, who professed to have still in his possession the Acts of the transactions at Carthage (*Gestorum Exemplaria*). See Marii Mercat. *Opp.* ed. Migne, t. 48 of the *Cursus Patrol.* pp. 69, 70. Augustine gives these propositions from memory rather differently, and in a somewhat different order; and also in Marius Mercator we find another more peculiar text (in his lib. *Subnotat. in Verba Juliani, l.c.* p. 115). Here the six propositions run thus: "1. Adam mortalem factum, qui sive peccaret sive non peccaret, fuisset moriturus. 2. Quoniam peccatum Adæ ipsum solum læsit, et non genus humanum. 3. Quoniam infantes, qui nascuntur, in eo statu sunt, in quo Adam fuit ante

Cælestius was examined on these points, and we still find in Augustine two fragments recording the discussions on this subject, the first of which contains the examination on the second of the above-mentioned points. Archbishop Aurelius had this proposition read aloud, upon which Cælestius declared that it was doubtful whether sin were inherited (*tradux peccati*), and that he had even heard different opinions on this subject expressed by priests of the Church. Paulinus commanded that he should name them, and he mentioned the priest Rufinus of Rome, but could not name any others, although again challenged by Paulinus to do so.

A second fragment given by Augustine deals with the discussion on the third proposition. After this had been read, Cælestius demanded that Paulinus should declare how he understood the words, "before the Fall." The latter, however, proposed the alternative that Cælestius should either deny that he had taught this, or then reject it. When Cælestius would not agree to this, Archbishop Aurelius, as President of the Synod, interposed, himself explained the words under discussion, and put the question thus: "Did Cælestius maintain that unbaptized children were in the same state as Adam was before the Fall, or were they burdened with the guilt of the transgression of the divine command?" Cælestius, however, made no answer to this either, but only again declared that the orthodox were not agreed concerning the *tradux peccati*, and that it was an open question. And, moreover, as he maintained the necessity of baptism, what could they ask more?

Nothing more exact is known of the transactions of the Synod; but Marius Mercator says that the assembled bishops had demanded that Cælestius should recant, and as he refused

prævaricationem. 4. Quoniam neque per mortem Adæ omne genus hominum moriatur, quia nec per resurrectionem Christi omne genus hominum resurgat. 5. Quoniam infantes, etiamsi non baptizentur, habeant vitam æternam. 6. Adjecit præterea: posse hominem sine peccato esse et facile Dei mandata servare, quia et ante Christi adventum fuerunt homines sine peccato, et quoniam Lex sic mittit ad regnum cœlorum, sicut Evangelium." We see that the chief difference is in No. 5, where something is said which is not contained in the first list of the six propositions, and No. 6 comprises that which is contained above in Nos. 5 and 6.

this, they had pronounced excommunication upon him, but that he appealed to Rome.[1]

Cælestius at once repaired to Ephesus to obtain the desired dignity of the priesthood, which he received. Pelagius, however, had gone to Palestine, where he had found an opponent in S. Jerome, and where also his errors had brought him into notice. About the same time S. Augustine sent his pupil, the Spanish priest Orosius, to Bethlehem, to put S. Jerome and others on their guard against the dangers of Pelagianism. The result was, that in June 415 a diocesan Synod assembled in that city under the presidency of Bishop John of Jerusalem, of which we still possess an account by Orosius.[2] Immediately after the opening of the Synod, Orosius reported what had taken place with regard to Cælestius in Africa, referred to the work, *De Natura et Gratia*, written by Augustine against Pelagianism, and read aloud Augustine's letter to Hilary, with reference to the Pelagian views emerging in Sicily. Upon this, at the command of Bishop John of Jerusalem, Pelagius himself was obliged to appear before the Synod. Immediately upon his entrance the priests asked him whether he had really propounded the doctrine which Augustine opposed. He replied, "What have I to do with Augustine?" This rudeness towards a man so highly venerated so angered the priests, that they exclaimed that Pelagius must not only be excluded from the assembly, but shut out from the whole Church. Bishop John, however, allowed him to be seated, and said: "I am Augustine, that is, I now represent the person of Augustine." Orosius remarks that he did this in order that he might be able to forgive Pelagius his insolent expression against Augustine. In so doing, however, Bishop John had to endure from Orosius the pointed remark: "If you are Augustine, then follow his views." Bishop John then demanded that the complaints against Pelagius should be brought forward, and Orosius said: "Pelagius has maintained

[1] Mansi, t. iv. p. 293.

[2] In his *Apologia pro Libertate Arbitrii*, cc. 3, 4, printed in the *Bibl. Max. PP.* t. vi. p. 448; and in Mansi, t. iv. p. 307; Hard. t. i. p. 2007 (really 1207); translated with notes in Fuchs, *Bibl. der Kirchenvers.* vol. iii. pp. 320, sqq.

against me that man may be without sin, if only he desires it." When Pelagius admitted this, Orosius went on: "This very doctrine was rejected by the Synod of Carthage, by Augustine, and by S. Jerome." Further discussion was interrupted by Bishop John, who desired that Orosius and those who held with him should formally declare themselves accusers of Pelagius, and acknowledge him, Bishop John, as the judge; to which they did not agree. Neither would Orosius be induced by Bishop John to affirm that God had made the nature of man evil. Pelagius, however, upon further questioning from John, declared that he did not maintain that man could be without any sin by nature, but that each one who strove for it received from God the power of being entirely sinless; but without the help of God it was not possible to be sinless. Orosius also maintained the same; but as he only spoke Latin, and Bishop John Greek, they could only understand one another through an interpreter, who translated many things wrongly. On this account, and because he observed the ill-will of Bishop John, Orosius demanded that, as Pelagius as well as his opponents were Latins, the decision concerning this heresy should be left to the Latins. Some members of the Synod supported this demand, and so Bishop John decided to send deputies and letters to Pope Innocent, declaring that his decision would be generally accepted. All present agreed to this, and the assembly ended in peace.

Some months later, in December of the same year, 415, the Pelagian controversy occasioned a second Synod in Palestine at Diospolis, or Lydda, at which fourteen bishops were present. Of these, Eulogius of Cæsarea is mentioned as holding the first place, and John of Jerusalem the second;[1] so that the former probably presided on account of the metropolitan dignity of his See. Besides these, the following names are given: Ammoniacus, Porphyry, Eutonius, a second Porphyry, Fidus, Zosimus, Zobœnus, Nymphidius, Chromatius, Jovinus, Eleutherius, and Clematius. One of the chief defenders of Pelagius was the deacon Anianus. The occasion for this Synod was afforded by two Gallican bishops, Heros of Arles and Lazarus of Aix, who being, unjustly no doubt, driven

[1] In Augustine, lib. i. *Contra Julian.* cap. v. n. 19.

from their Sees[1] had come to Palestine, and, probably in agreement with Jerome, gave Bishop Eulogius of Cæsarea a letter of complaint, containing a list of errors from the writings of Pelagius and Cælestius. On the appointed day, however, neither of them could appear at the Synod on account of illness;[2] and besides this, Orosius, bitterly reviled and persecuted by Bishop John,[3] had already departed, so that Pelagius, who duly appeared at the assembly, found no chief accuser to take up the case against him in person. In order to show himself in the most favourable light possible, he read aloud several friendly letters addressed to him by illustrious bishops, also one from Augustine,[4] in which he in a few lines, but very courteously, acknowledged the receipt of a letter from Pelagius.[5] On the other hand, the letter of complaint of Heros and Lazarus was not read *in extenso;* but as the assembled bishops did not understand Latin, the different points of complaint were only selected by an interpreter. The difficulty of language was a hindrance to a closer investigation of the matter, and must have been so much the more to the advantage of Pelagius that he understood Greek himself perfectly, and was able to converse in that language with the members of the Synod, and to refute their suspicions.[6]

The first charge was, that he had maintained in one of his books that "no one could be without sin but he who possessed the knowledge of the law." The Synod demanded, "Hast thou taught this?" and he replied, "I did not say that he who has the knowledge of the law cannot sin, but that he is

[1] Pope Zosimus gives an unfavourable description of them; see Baron. *ad ann.* 417, 25, sq. But as the Pope was at first deceived by the innuendoes of the Pelagians, Tillemont (*Mémoires*, etc., t. xiii. pp. 677, ed. Venise) undertook a defence of these two Gallican bishops.

[2] August. *De Gestis Pelag.* c. 1.

[3] Cf. his *Apologia* in Mansi, *l.c.* p. 310.

[4] August. *Epist.* 146.

[5] Cf. August. *De Gestis Pelag.* cc. 25, 21; and Remi Ceillier, t. xii. p. 715.

[6] The accounts of this Synod are to be found scattered in Augustine. In the following notes we shall quote the places in question. They are collected in Mansi, t. iv. pp. 315, sqq.; also in Hard. t. i. pp. 2009, sqq. (really 1209); in German in Fuchs, *Bibl. der Kirchenvers.* vol. iii. pp. 328-337. A collection of the Pelagian propositions discussed at this Synod, taken from Augustine, *Ep.* 186 (formerly 106), and from other sources, but possessing no great worth, is given by Mansi (*l.c.* pp. 311, sqq.), after the example of earlier collectors of Councils.

helped by the knowledge of the law not to sin." The Synod declared this statement to be in accordance with the teaching of the Church.[1]

The second passage from the same work of Pelagius, which was read by command of the Synod, was as follows: "Every one is governed by his own will;" and Pelagius explained these words also to the satisfaction of the Council.[2] This was also the case with the third passage: "In the day of judgment all sinners will be punished with everlasting fire." These words seemed, to a certain extent, to contradict the truth that for Christ's sake sinners are forgiven; but Pelagius appealed to Matt. xxv. 46, accusing all who taught otherwise of Origenism; and he again obtained the assent of the Synod.[3]

The fourth accusation was, that he had maintained that "evil did not even enter into the thoughts of the just," but he said that he only meant "that the Christian must make an effort to think no evil;" and this was again approved.[4] Afterwards Pelagius explained two other propositions from his books—viz. that "the kingdom of heaven is also promised in the Old Testament," and that "man can, if he will, be entirely without sin"[5]—to the satisfaction of the Synod, and repudiated as untrue two other accusations, viz. that in a letter to a widow he had addressed her in flattering terms as sinless, and had ascribed to himself perfect freedom from sin; whereupon the Synod expressed great indignation towards his accusers.[6]

It was then asserted that already at the Synod at Carthage in 411 the following had been shown to be the doctrine of Cœlestius: "Adam was created mortal, and would have died whether he had sinned or not; the sin of Adam injured himself alone, and not the whole human race; the Law leads to the kingdom of God as well as the Gospel; even before the

[1] We learn this from August. *De Gestis Pelag.* c. 1; also printed in Mansi, t. iv. p. 316; and Hard. t. i. p. 2009.

[2] August. *l.c.* 3.

[3] August. *l.c.* 3, n. 9, 10; Mansi, *l.c.;* Hard. *l.c.* [The fact here recorded, and St. Augustine's comment on it, are important, as showing that Origen's Universalist theory was regarded as heretical in the Church.]

[4] August. *l.c.* 4, and the commencement of c. 5; Mansi, *l.c.;* Hard. *l.c.*

[5] August. *l.c.* 5 et 6; Mansi, *l.c.* p. 317; Hard. *l.c.*

[6] August. *l.c.* 6, and *De Peccato Orig.* lib. ii. c. 11; Mansi, *l.c.;* Hard. *l.c.* p. 2010.

coming of Christ there were men who were entirely sinless; the regenerate are in the same condition as Adam was before the fall; neither the death of Adam nor his sin are the cause of all men dying, nor is the resurrection of Christ the cause of all rising again." It was also said that Augustine, in his answer to Hilary, in which he refuted the pupils of Cælestius in Sicily, brought forward the following propositions of Cælestius: "Man can, if he chooses, be without sin; children, even if unbaptized, enjoy eternal life; rich men cannot enter the kingdom of God unless they renounce all." Pelagius replied that he had already made answer with regard to the proposition that man might be without sin, and that it was indeed true that, even before the birth of Christ, there had been persons who were entirely without sin. The remaining propositions, however, were not his, and he had not therefore to answer for them. But in order fully to satisfy the Synod, he would reject them; and this declaration seemed quite sufficient.[1]

To the further accusation, that he had maintained that "the Church was, even upon earth, without spot or wrinkle," he replied: "Yes, it was cleansed in baptism from all spot and wrinkle, and it was the will of the Lord that it should so remain;" and the Synod approved this also.[2] Then the following passage from the work of Cælestius was read: "We do more than is commanded in the Law and the Gospel." Pelagius declared that he had said this in reference to the unmarried state, which was not commanded, and was yet observed; and the Synod exclaimed: "The Church also teaches this."[3] With regard to the further propositions of Cælestius, that "the Divine grace and help is not granted to individual acts, but consists in free will, and in the giving of the Law and the doctrine," and that "the grace of God is given according to our deserts, and God would be unjust if He granted it to sinners, whence it is in our power to deserve it or not—for if all our actions were wrought only by the grace of God, then

[1] August. *De Peccato Orig.* lib. ii. c. 11, *De Gestis Pelagii*, c. 11; Mansi, *l.c.* p. 318; Hard. *l.c.* p. 2011.

[2] August. *De Gestis Pelagii*, c. 12; Mansi, *l.c.* p. 318; Hard. *l.c.*

[3] In August. *l.c.* 13; Mansi, *l.c.*; Hard. *l.c.*

if we sinned, the grace of God, and not ourselves, would be overcome, and the guilt of the sin would fall upon God, who either could not or would not preserve us from it"—Pelagius left it undecided whether they were propositions of Cælestius or not, but for his own part rejected them.

Another statement of Cælestius, that "every one might possess all virtues and graces," Pelagius explained thus: that "God gave to him who deserved it all the gifts of grace, as to the Apostle Paul;" and the Synod again declared that this was also "in accordance with the mind of the Church."[1]

Bishop John of Jerusalem further relates that when some bishops (at the Synod) murmured that Pelagius did not consider the Divine assistance necessary, he, John, declared that this seemed to him also to contradict the teaching of S. Paul, who said: "I laboured more abundantly than they all: yet not I, but the grace of God which was with me" (1 Cor. xv. 10). Pelagius, he adds, had then declared: "I also believe this, and let him be anathematized who says that, without the Divine assistance, man can advance in all virtue." Augustine, who mentions this, adds that John was not quite correct here, for Pelagius did not say: "I also believe this."[2]

Finally, the following propositions were selected from the work of Cælestius: "No one can be called a child of God but he who is entirely without sin, and therefore S. Paul, according to his own confession (Phil. iii. 12), was no child of God; ignorance and forgetfulness are not sins; man has free will to do anything, or to leave it undone, but if the assistance of God is necessary, free will no longer exists; if man triumphs over evil, that is his own merit; we are partakers of the Divine nature, and therefore, if the soul could not be without sin, neither could God be without sin, for the soul is a part of Him (*pars Ejus*); penitents receive forgiveness, not of grace, but of their own merits." Pelagius rejected these doctrines as not being his, and anathematized all who opposed the doctrines of the holy Catholic Church; upon which the Synod, in conclusion, declared him worthy of

[1] August. *De Gestis Pelag.* c. 14; Mansi, *l.c.*; Hard. *l.c.* pp. 2011, 2012.

[2] *De Gestis Pelag.* c. 14, n. 37, and c. 15, n. 38; Mansi, *l.c.*; Hard. *l.c.* p. 2012.

communion.[1] No wonder that S. Jerome, in a letter to Augustine, calls this Synod *miserabile*.[2] A special treatise on it was published by the learned French Jesuit Daniel.[3] It is also treated of by all historians of Pelagianism, such as Cardinal Noris, Vossius, Garnier, and others.

Heros and Lazarus sent word by Orosius to acquaint the bishops of proconsular Asia with the result of this unhappy Synod at Diospolis, while they were assembled in 416 at a Synod at Carthage under the presidency of Aurelius.[4] The decisions pronounced against Cælestius five years before at the Synod of 411 were therefore here confirmed afresh, and were announced to Pope Innocent I. in a detailed Synodal Letter. This is the only document which has come down to us from this Synod, and it is printed among the letters of Augustine, as well as in the Collections of the Councils.[5] We see from this that no less than sixty-eight bishops, whose names are mentioned in this document, were present. All belonged to proconsular Africa, and therefore S. Augustine, the celebrated champion against the Pelagians, was not among them, as Hippo-Regius belonged to the ecclesiastical province of Numidia.

The Numidians, however, immediately followed the example of their proconsular neighbours, and a short time after this they also held a Synod at Mileve, in the same year, 416, under the presidency of the senior bishop (*primæ sedis episcopus*) Silvanus. Of this Synod also we possess only the Synodal Letter to Pope Innocent, according to which fifty-nine bishops, and among them S. Augustine, were present there.[6] In this letter they begged the Pope that, "as God had favoured him with such exceeding honour, and placed him in the Apostolic

[1] August. *De Gestis Pelag.* cc. 18–20; Mansi, *l.c.* p. 320; Hard. *l.c.* p. 2012.

[2] Jerome, *Epist.* 79 (in Ballarsi, *Ep.* 143).

[3] *Histoire du Concile de Diospolis;* Daniel, see his *Ouvrages*, tom. i. p. 635.

[4] Cf. the Synodal Letter of Carthage, to be treated of presently.

[5] August. *Epist.* 175, formerly 90; Mansi, t. IV. pp. 321, sqq.; Hard. t. i. p. 2013 (really 1213); Ballerini, edit. *Opp. S. Leonis M.* t. iii. pp. 128, sqq.; translated in Fuchs, *Bibl. der Kirchenvers.* vol. iii. pp. 338, sqq.

[6] The pseudo-Isidorian Collection ascribes to the Synod twenty-seven canons also, but these all belong to other Synods. They are printed in Mansi, t. iv. pp. 326, sqq.; Hard. t. i. pp. 1217, sqq.; translated in Fuchs, *ll.c.* pp. 346, sqq. Their spuriousness was shown by Schelstraten, *Antiq. Eccl. Afric.* Diss. iii.; Noris, *Hist. Pelag.* lib. i. c. 10, and Hardouin and Mansi in the notes on these.

Chair, he would, in the present great danger of the Church, show his faithfulness as a shepherd, and hinder the spreading of the Pelagian errors. He would see that the Pelagian doctrine contradicted many statements of Holy Scripture, and especially those words of the Lord's Prayer: 'Forgive us our trespasses, and lead us not into temptation.'"[1]

Some time afterwards, five other African bishops, among whom was Augustine, again made a special appeal to Innocent concerning the Pelagians.[2] In the beginning of 417 he sent answers to those bishops who had assembled at Carthage and those who had met at Mileve, as well as to the five who had especially appealed to him, and these letters are still extant.[3] He fully agreed with the sentence passed upon Cælestius and Pelagius by the Carthaginian bishops, praised the Africans for their discernment, confirmed the sentence of excommunication pronounced upon Pelagius and Cælestius, threatened with the same punishment all their adherents, and found in the work of Pelagius many blasphemies and censurable doctrines.

Innocent's successor, Zosimus, who in the commencement of his reign in 417 was deceived by the ambiguous confession of faith of Pelagius and Cælestius, adopted another line. He had not long entered upon his office when Cælestius, who had gone from Ephesus to Constantinople, but had been again driven away from thence, gave him a confession of faith, of which we still possess fragments.[4] Zosimus immediately assembled a Roman Synod, at which Cælestius in general terms condemned what Pope Innocent had already condemned, and what the Apostolic See would always condemn, but did not enter into the details of the erroneous doctrines with which he had been reproached at Carthage; he so

[1] Printed in Mansi, t. iv. pp. 334, sqq. ; Hard. t. i. pp. 1221, sqq. ; Baller. edit. *Opp. S. Leonis M.* t. iii. pp. 141, sqq. ; translated in Fuchs, *l.c.* pp. 346, sqq.

[2] See their Letter in Mansi, t. iv. pp. 337, sqq. ; Hard. t. i. p. 1203 ; Baller. *l.c.* p. 149 ; Fuchs, *l.c.* pp. 351, sqq.

[3] In Mansi, t. iii. pp. 1071, sqq., 1075, sqq., 1078 ; Hard. t. i. pp. 1025, 1028, 1030 ; Baller. *l.c.* pp. 134, 144, 149.

[4] August. *De Peccato Orig.* c. 2, 5, 6 ; also in Mansi, t. iv. p. 358 ; translated in Fuchs, *l.c.* pp. 369, sqq.

influenced the Pope in his favour, that, in a letter to the African bishops, he declared Cælestius to be orthodox, blamed their former conduct, and represented Heros and Lazarus, Cælestius' chief opponents, as very wicked men, whom he had punished with excommunication and deposition.[1]

Shortly after this Zosimus also received the confession of faith which Pelagius had already addressed, together with a letter, to Pope Innocent I.[2] Besides this, a letter in favour of Pelagius from Praylus, the new Bishop of Jerusalem, had reached Rome, and Zosimus not only had this document read at his Synod, but at once addressed a second letter to the Africans, to the effect that Pelagius, like Cælestius, had most completely justified himself, and that both recognised the necessity of grace. Heros and Lazarus, on the contrary, were bad men, and the Africans were much to blame for having suffered themselves to be influenced by such contemptible slanderers.[3]

In consequence of these letters, the second of which was written in September 417, the African bishops, in the autumn of 417 or in the beginning of 418, assembled in all haste at a Synod at Carthage, and in a Synodal Letter to the Pope they declared "that he should hold to the sentence pronounced by Pope Innocent against Pelagius and Cælestius, until both of them distinctly acknowledged that for every single good action we need the help of the grace of God through Jesus Christ; and this not only to perceive what is right, but also to practise it, so that without it we can neither possess, think, speak, or do anything really good and holy."[4]

They sent this Synodal Letter by the sub-deacon Marcellinus, and the result was a letter from Pope Zosimus of the 21st March 418, in which he affirmed that he had already given the affair of the Pelagians his mature consideration, but

[1] Mansi, t. iv. p. 350; Baron. *ad ann.* 417, n. 19, sqq.

[2] It is found in the Appendix to vol. x. of the Benedictine edition of the works of Augustine; also in Mansi, t. iv. p. 355; Baron. *ad ann.* 417, n. 31; and in German in Fuchs, *l.c.* pp. 363, sqq.

[3] Mansi, t. iv. p. 353; Baron. *ad ann.* 417, n. 25, sqq.

[4] This fragment of the Synodal Letter is found in Prosper, *Contra Collatorem*, c. 5, printed in Mansi, *l.c.* pp. 376 and 378 in the Nota a. Cf. also August. *De Peccato Orig.* c. 7, 8, and lib. ii. ad Boniface, c. 3.

added that he had transmitted all the documents to the Africans for the purpose of common consultation.[1]

Sec. 119. *The African General Synod, the sixteenth at Carthage, in* 418.

This letter, as is stated at the end, reached the hands of the Africans towards the end of April 418, and on the 1st of May of the same year they opened a new great or General Synod in the *Secretarium* of the Basilica of Faustus at Carthage, which is often, as by the Carthaginian Synod of 525, designated the sixteenth under Aurelius, although, as what has gone before shows, it should be known under a higher number. Bishops were present not only from all the provinces of Africa, but even from Spain, in all no less than two hundred.[2] They composed eight or nine canons against Pelagianism, and eleven others, partly directed against the Donatists and partly concerning general matters.[3]

Can. 1 (109 in the *Cod. Can. Eccl. Afric.*). "If any man says that Adam, the first man, was created mortal, so that whether he sinned or not he would have died, not as the wages of sin, but through the necessity of nature, let him be anathema."

Can. 2 (110). "If any man says that new-born children need not be baptized, or that they should indeed be baptized for the remission of sins, but that they have in them no original sin inherited from Adam which must be washed away in the bath of regeneration, so that in their case the formula of baptism 'for the remission of sins' must not be taken literally, but figuratively, let him be anathema; because, according to Rom. v. 12, the sin of Adam (*in quo omnes peccaverunt*) has passed upon all."

[1] In the Appendix to vol. x. of the works of Augustine; and in Mansi, t. iv. p. 366.

[2] Thus says a very ancient codex of the *proœmium* of this Synod given in Mansi, t. iv. p. 277; and Baller. ed. *Opp. S. Leonis M.* t. iii. p. 165.

[3] Given in the *Codex Can. Eccl. Afric.* Nos. 103–127; Mansi, t. iii. pp. 810–823, and t. iv. p. 377; Hard. t. i. pp. 926, sqq.; in Baller. ed. *Opp. S. Leonis M.* t. iii. pp. 165, sqq.; translated in Fuchs, *l.c.* pp. 373, sqq. A commentary on this was given by Van Espen, *Comment. in Canones*, etc., ed. Colon. 1755, pp. 373, sqq.

After this second canon several manuscripts and editions, especially the very ancient codex of the Ballerini, place the following third canon: "If any man says that in the kingdom of heaven or elsewhere there is a certain middle place, where children who die unbaptized live in bliss (*beate vivant*), whereas without baptism they cannot enter into the kingdom of heaven, that is, into eternal life, let him be anathema." As neither Isidore nor Dionysius[1] have recognised this canon, its genuineness has been often disputed; the Ballerini, however, by appealing to Photius and Ferrandus, have defended it very successfully;[2] and, according to their view, this Synod published not eight, but nine canons against the Pelagians. In what follows, however, we retain the usual numbering.

Can. 3 (111). "If any man says that the grace of God, by which man is justified through Jesus Christ, is only effectual for the forgiveness of sins already committed, but is of no avail for avoiding sin in the future, let him be anathema."

Can. 4 (112). "If any man says that this grace only helps not to sin, in so far that by it we obtain a better insight into the Divine commands, and learn what we should desire and avoid, but does not also give the power gladly to do and to fulfil what we have seen to be good, let him be anathema."[3]

Can. 5 (113). "If any man says that the grace of justification was given us in order that we might the more easily fulfil that which we are bound to do by the power of free will, so that we could, even without grace, only not so easily, fulfil the Divine commands, let him be anathema."

Can. 6 (114). "If any man understands the words of the Apostle: 'If we say that we have no sin, we deceive ourselves, and the truth is not in us,' to mean that we must acknowledge ourselves to be sinners only out of humility, not because we are really such, let him be anathema."

Can. 7 (115). "If any man says that the saints pronounce the words of the Lord's Prayer, 'forgive us our trespasses,' not for themselves, because for them this petition is unnecessary,

[1] *Collec. Can. Eccl. Afric.* [2] Baller. *l.c.* pp. xcvi. sq.

[3] The text in Mansi, t. iii. p. 814, is here disfigured by an error in printing, the words "etiam facere diligamus" occurring two lines too early. Hardouin and the Ballerini have the right text.

but for others, and that therefore it is, 'forgive us,' not 'me,' let him be anathema."

CAN. 8 (116). "If any man says that the saints only pronounce these words, 'forgive us our trespasses,' out of humility, not in their literal meaning, let him be anathema."

CAN. 9 (117). "It has already been ordered by a former plenary Council,[1] that those communities which became Catholic before the Imperial laws against the Donatists were issued by Honorius, are to remain in the dioceses of those bishops through whom they became Catholic; but that if they entered into communion with the Church after the publication of those laws, they shall be made over to that diocese to which they, while they were still Donatists, belonged (*de jure*). But as many disputes have arisen and do arise among the bishops from this cause, it is now decided that if in any place a Donatist and a Catholic community have existed side by side, and belonged to different dioceses, both shall be made over to the diocese to which the Catholic section belonged, whether the conversion of the Donatists took place before or after the publication of those Imperial decrees."

CAN. 10 (118). "If the Donatist bishop has himself become Catholic, the two bishops (he and the Catholic one) shall divide equally between them the two communities now united, so that one portion of the towns shall belong to one, and the other to the other bishop. The bishop who has been longest in office shall make the division, but the other shall have the choice. If there is only one township of this description, then it shall belong to whichever See is nearest to it; but if there are two equally near, the people shall decide it by the majority of votes. If the votes are equal, the elder bishop has the preference. If, however, the towns to which both parties belonged are of unequal number, so that they cannot be equally divided, the remaining one shall be dealt with as was prescribed above, in the preceding canon, with regard to a single town."

CAN. 11 (119). "If, after the publication of this edict, a bishop has brought back a place to Catholic unity, and has held undisputed jurisdiction over it for three years, it may not

[1] In 407, canon 5 (No. 99 of the African canons). See above, p. 443.

be taken away from him. But if a Donatist bishop is converted, no disadvantage shall accrue to him from this arrangement, but for three years after his conversion he has the right of demanding back those places which belonged to his See."

CAN. 12 (120). "If a bishop seeks to get into his power a diocese to which he thinks he has a claim, not through an episcopal decision, but by other means, and is opposed by another, he thereby forfeits his claim."

CAN. 13 (121). "If a bishop takes no pains to win over to Catholic unity those places which belong to his jurisdiction, he shall be exhorted to do so by the neighbouring bishops. If he does not do so within six months from this warning, they shall belong to the bishop who wins them to the Church. . . . In disputed cases, arbiters shall be chosen by the primate or by the parties themselves."

CAN. 14 (122). "There can be no further appeal from judges who have been unanimously elected."

CAN. 15 (123). "If the bishop of a mother-diocese shows no zeal against the heretics, he shall be warned by the neighbouring bishops; and if in six months from that time he does not bring back the heretics, although those deputed to carry out the Imperial decree of union have been in his province, he shall be deprived of communion until he does so." [1]

CAN. 16 (124). "If, however, he falsely asserts that he has brought back the heretics into communion, when this is not true, he forfeits his See."

CAN. 17 (125). "If priests, deacons, and inferior clerics complain of a sentence of their own bishop, they shall, with the consent of their bishop, have recourse to the neighbouring bishops, who shall settle the dispute. If they desire to make a further appeal, it must only be to their primates or to African Councils. But whoever appeals to a court on the other side of the sea (Rome), may not again be received into communion by any one in Africa." [2]

[1] This canon, in distinction to canon 13, treats of the case where a bishop effects no union in his own episcopal city.

[2] The same is contained in canon 28 of the *Codex Can. Eccl. Afric.* Cf. Van Espen, *l.c.* pp. 321, sq.

Can. 18 (126). "If a virgin is in danger of losing her virginity, because a great man demands her in marriage, or some one desires to violate her, or because she fears to die before receiving the veil, and the bishop, at the desire of her parents, gives her the veil before she has reached the age of twenty-five, the synodal decision with regard to this age shall not hinder him."[1]

Can. 19 (127). "In order that all the bishops present at the Council should not be detained too long, it was decided that the General Council should make choice of three persons invested with full powers from each province. From the province of Carthage were chosen Vincent, Fortunatian, and Clarus; from Numidia, Alypius, Augustine, and Restitutus; from the Byzacene province, besides the saintly old man, the Primate Donatian, the Bishops Cresconius, Jocundus, and Æmilianus; from Mauretania Sitifensis, Severian, Asiaticus, and Donatus; from the province of Tripoli, as usual only one,[2] Plautius. These, with the *senex*, namely, the Primate Aurelius, shall decide everything. The Synod also prayed that Aurelius would sign all the documents to be published."

About the same time as this Carthaginian Synod, probably a few months earlier, the African Council at Telepte, or more rightly Zelle, seems to have been held, of which we have already treated,[3] without, however, being able to ascribe to it any great importance. We there also mentioned the canons of the Roman Synod under Pope Siricius, which were renewed at the Council of Telepte.[4]

Sec. 120. *Dispute concerning the Appeal to Rome. African Synods concerning it.*

Before the Pelagian affair was fully decided, quite another matter, and one which had no connection with it, occasioned

[1] Canon 1 of the second series of the Council of Hippo of 393 is here meant. See above, p. 397.

[2] According to canon 5 of the Synod of Hippo of 393. See above, p. 397.

[3] See above, p. 387.

[4] A short document of this Synod, containing the canons in question, is found in Mansi, t. iv. pp. 379, sq.; Hard. t. i. p. 1235.

several new African Synods, which have attained great celebrity in the history of canon law. They concerned the right of Rome to receive appeals, of which we have already had to speak in the history of the Synods of Nicæa and Sardica.[1]

The priest Apiarius, of Sicca in proconsular Africa, had, on account of various offences, been deposed and excommunicated by his bishop, Urban of Sicca, a pupil of Augustine. He went to Rome, and sought the help of Pope Zosimus, who accepted his appeal, and demanded his reinstatement.[2] This greatly displeased the Africans, and in the seventeenth canon of their General Council of May 1, 418, they ordered, probably with special reference to this, that no priest, deacon, or inferior cleric should on any account appeal to a court on the other side of the sea.[3]

When Pope Zosimus heard of the displeasure of the Africans, he sent three legates, Bishop Faustinus of Potentina in the March of Ancona, and the two Roman priests, Philip and Asellus, to Carthage. Archbishop Aurelius at once assembled the neighbouring bishops at a small Synod (in the same year, 418), before which the Papal legates at first only verbally delivered their commission; but on the repeated demand of the Africans, they also produced their written instruction (*commonitorium*) directing them to treat with the Africans on four points,—first, concerning the appeal of bishops to Rome; secondly, that so many bishops should not travel to the Court; thirdly, that the affairs of priests and deacons, who were unjustly excommunicated by their own bishops, should be dealt with by neighbouring bishops; and fourthly, that if Bishop Urban of Sicca did not correct himself (viz. his sentence upon Apiarius), he should be excommunicated or summoned to Rome.[4]

[1] See vol. i. p. 356, and *supr.* pp. 119, sqq.

[2] We learn this from the fact that in his fourth demand, now to be discussed, he threatened Bishop Urban with deposition if he did not retract.

[3] Cf. above, p. 461. The Ballerini (ed. *Opp. S. Leonis*, t. ii. p. 963) rightly observe that this only prohibited priests and deacons, but not bishops, from appealing to Rome.

[4] We learn all this from the letter of the Carthaginian Synod of 419 to Pope Boniface in Mansi, t. iii. p. 831; Hard. t. i. p. 942.

The second of these points was not entered upon by the Synod; but the first and third the Pope had founded upon pretended Nicene canons, which, however, as we have already seen, were really Sardican.[1] Thus it was that the African bishops had not these Nicene canons in their copy of the Acts of Nicæa, because, as we have already seen,[2] none of the Acts of the orthodox Synod of Sardica were known in Africa. Out of respect for Rome, however, they made a written declaration to Pope Zosimus, still in 418, that for the present, until a further investigation of the Nicene decrees, they would observe the two pretended canons of Nicæa.[3]

But the matter did not end here; on the contrary, the Papal legates remained at Carthage, and there carried on their negotiations, the details of which are not known to us. The death of Pope Zosimus, on the 26th December 418, naturally occasioned some delay; but his successor Boniface took up the matter afresh, and after friendly relations were again

[1] They run thus: *Can. Sardic.* 5 (7). "If a bishop deposed by his comprovincials has appealed to Rome, and the Pope considers a fresh examination necessary, then he (the Pope) shall write to the bishops living nearest the province in question, that they may thoroughly investigate the matter, and deliver a sentence in accordance with the truth. But if the appellant can induce the Bishop of Rome to send priests of his own to constitute, with the appointed bishops, the court of second instance, and thereby to enjoy the authority belonging to himself (the Pope),—*i.e.* to preside in the court,—it shall be open to him to do so. But should he think the bishops alone sufficient for this court of appeal and for this decision, he shall do what seems to him good." *Can. Sardic.* 14 (17). "A priest or deacon excommunicated by his bishop shall have the right to take refuge with the neighbouring bishops, until the matter shall be investigated, and the sentence of his own bishop confirmed or corrected," etc.

Concerning the *bona fides* of the Pope in this confounding of the Sardican and Nicene canons, cf. vol. i. p. 356, and *Tüb. Quartalschrift*, 1852, p. 404; also concerning the whole dispute between the Pope and the Africans, cf. Van Espen, *Commentar. in Canones*, etc., Colon. 1755, pp. 292, sqq.; Dupin, *De Antiqua Ecclesiæ Discipl.* Dissert. ii. sec. 3, pp. 140, sqq. ed. Mogunt. 1788; Capelli, *De Appellatione Eccl. Afric. ad Rom. Sedem.*, Romæ, 1772; Christ. Lupus, *Divinum ac Immobile S. Petri citra fidelium Appellationes adsertum Privilegium*, Diss. ii.; Melchior Leydecker, *Hist. Eccles. Afric.* t. ii. pp. 505, sqq.; and the *Observationes* of the Ballerini *in* i. *Partem Dissertationis* v. *Quesneli*, in vol. ii. of their edition of the works of Leo, pp. 958, sqq.

[2] Cf. *supr.* p. 172.

[3] This letter to Zosimus is lost, but the chief contents are repeated in the Synodal Letter to Pope Boniface in Mansi and Hardouin, *ll.cc.*

established between the Africans and the Papal legates,[1] no less than 217 African bishops assembled in the Church of Faustus at Carthage, May 25, 419, under the presidency of Aurelius, for a General Synod, which is generally called the sixth, but by the Ballerini the seventeenth, Carthaginian Synod.[2] Already, at the former discussions in the autumn of 418, the Africans had declared a more exact investigation of the Nicene Acts to be necessary, on account of the canons quoted by the Pope; and the requisite steps for this were to be taken at this Synod. On the motion of Archbishop Aurelius, it was therefore decided that first of all the copy of the Nicene Acts should be read, which was preserved at Carthage, having been brought there by Archbishop Cæcilian, who was himself present at Nicæa. In like manner, those documents in which the earlier African bishops had confirmed the Nicene canons, and prescribed rules in conformity with them to their own clergy, were to be produced. This was at once done by the notary Daniel; but the legate Faustinus interrupted him while reading them, and demanded that the instruction (*commonitorium*) which Pope Zosimus had given to his legates should first be read, and the Nicene and other documents not till afterwards. Archbishop Aurelius agreed to this, and the notary Daniel then read aloud the instruction as follows: "Bishop Zosimus to his brother Faustinus, and his sons the priests Philip and Asellus. You know the commission we entrust to you. Do all therefore just as if we were ourselves present. For greater security, we add the words of the canons which bear on the subject. It was decided at the Council of Nicæa, with regard to the appeal of bishops, that if a bishop deposed by his comprovincials appeals to Rome, etc."

More than this one canon was not then read from the

[1] We learn this from a short and very corrupt letter of the Pope to his legates, which Mansi (t. iv. p. 451) gives from a codex of Freising, dated the 26th April 419, viz. a month earlier than the Synod now to be discussed.

[2] Cf. the heading of the Synodal Letter in Mansi, t. iii. p. 830; Hardouin, t. i. p. 939. The Acts of this Synod are in Mansi, t. iv. pp. 401–415 and 419, sqq.; Hard. t. i. pp. 1241, sqq. The Ballerini, in vol. iii. of their edition of the works of Leo the Great, pp. xcviii., sqq., give the true version of the course of proceedings at this Synod.

commonitorium; but we have seen that it contained several, and this is also indicated by the plural, *verba canonum.*

Bishop Alypius of Tagaste, it appears, interrupted the further reading of the *commonitorium,* by the proposal that, as the canon in question was not contained in the copy of the Nicene Acts kept at Carthage, and the original Acts of Nicæa were understood to be at Constantinople, Archbishop Aurelius should send deputies to the Bishops of Constantinople, Alexandria, and Antioch, and request from them authentic copies of these Acts. At the same time a letter should be addressed to the Roman Bishop Boniface, begging him to send deputies on his part also to the three Churches just mentioned, with the view of obtaining authentic and genuine copies. Meanwhile, until these arrived, the canon brought forward by the Roman legates should be observed; but at the same time, the copy preserved at Carthage of the Nicene Acts should be used in the present discussion.

The Roman legate Faustinus replied, that "the Synod ought not to pronounce against the Roman Church because Alypius considered the canons doubtful, but should rather write and ask the Pope himself to institute an investigation into the genuine Nicene canons, and then enter again into negotiation with the Africans. It would suffice if the Pope and the Africans, each side for themselves, should undertake this investigation; but to institute inquiries in foreign cities would present the appearance of divisions prevailing in the Western Churches. When the Pope had answered and communicated the result of his investigation, the Synod should then in brotherly love consider what was best to be observed."[1]

Without giving any direct reply to this, Archbishop Aurelius observed that all the transactions of the Synod were to be communicated to the Pope, and that the discussion should now proceed. To this the Synod agreed; and Bishop Novatus, the deputy from Mauretania Sitifensis, said that he remembered that the *commonitorium* also contained a canon referring to the appeal of priests to the neighbouring bishops, which was not

[1] This, I believe, must be the meaning of the somewhat unintelligible text of the speech of Faustinus.

to be found in the Nicene Acts, and asked that this should also be read. By command of Archbishop Aurelius, the notary Daniel read aloud this part of the *commonitorium*, also the fourteenth, or according to the Latin version, the seventeenth canon of Sardica.[1]

After the reading, Augustine, as deputy of Numidia, said: "We promise meanwhile to observe this canon also, until some result is obtained from the closer investigation of the Nicene Acts." The whole Synod agreed to this view, with the limitation that "what was decided at Nicæa has our approbation."

The Papal legate Faustinus again spoke; but this second speech of his is even more obscure than the first, and the text is most undoubtedly corrupt. The sense is probably, that "as according to the statements made this canon is also questioned, mention must be made of this also to the Pope, that he may examine whether this rule concerning the appeal of the inferior clergy (priests, etc.) is to be found in the genuine Acts."

To this second speech of the legate, as to the first, no direct reply was made; but on the proposal of Archbishop Aurelius, it was decided that the copy of the Nicene Acts, brought by Cæcilian to Carthage, together with the rules of the former African Synods, should be added to the Acts of this Synod, and that Aurelius should write to the Bishops of Constantinople, Alexandria, and Antioch, to obtain genuine copies of the Acts of Nicæa.[2] If these contained the two canons quoted in the *commonitorium*, they should be recognised; if not, the matter should be further discussed at the coming Synod. The notary Daniel then read aloud the Creed and the canons of Nicæa from the Carthaginian copy, and when this was done a series of older African decrees were repeated and renewed.[3]

[1] See above, p. 463. In Mansi, t. iv. p. 405, the addition, "ex Sardicensi Concilio," has plainly been inserted in the text from a marginal note. The right reading is to be found in the text of the Ballerini, and also in Mansi, t. iv. p. 422.

[2] That the Papal legates at last declared themselves agreed on this point, appears from the letter of the Synod to Pope Zosimus, which speaks of "this unanimous decision."

[3] See canon 1 in the *Collectio Canon. Eccl. Afric.* in Mansi, t. iii. p. 710, t. iv. p. 423; Hard. t. i. p. 867.

Sec. 121. *The Codex Canonum Ecclesiæ Africanæ.*

All these together form the *Codex Canonum Ecclesiæ Africanæ*, so often mentioned already, which is divided into several sections.[1] The first series, including Nos. 1–28 of the Codex, contains the following :—

Can. 1. Introduction.

Can. 2. Confession of the orthodox doctrine of the Trinity. From the Carthaginian Council under Genethlius, in 390.[2]

Cans. 3 and 4. Law of celibacy for the bishops, priests, Levites, and all servants of the altar. From the same Council.

Can. 5. Rule against covetousness, unjust gain, and usury for laity and clergy. From the Carthaginian Synod under Gratus, in 345–348. Cans. 10, 13.[3]

Can. 6. Priests may not consecrate the chrism, nor solemnize the benediction of virgins and the reconciliation of penitents. From the Council of 390. Can. 3.[4]

Can. 7 = Can. 4 of the Carthaginian Council of 390.

Can. 8 = Can. 6 of the same Council.

Can. 9 = Can. 7 *ibid.*

Cans. 10, 11 = Can. 8 *ibid.*

Can. 12 = Can. 10 *ibid.*

Can. 13 = Can. 12 *ibid.*

Can. 14. Divided into two parts—the first from Can. 5 of the Synod of Hippo of 393 (already repeated at the Council

[1] This rather too comprehensive and pompous title was given by Justellus (*Biblioth. Jur. Can.* t. i. p. 321) to the collection of these African canons, put together in 419 by Dionysius Exiguus. He himself gave his collection a far more modest title (*Statuta Concilii Africani*), and it was only in one manuscript of the collection of Dionysius that Justellus found this pretentious heading.—These *Statuta Concilii Africani* were also translated into Greek, even before the Trullan Synod, and therefore Justellus (*l.c.*), Hard. (t. i. pp. 861, sqq), and Mansi (t. iii. pp. 699, sqq.), besides the original Latin text, also adopted the Greek version. Van Espen, in his *Commentarius in Canones*, etc., Colon. 1755, pp. 305–384, published a commentary on this collection. Cf. also Fuchs, *Biblioth. der Kirchenvers.* vol. i. pp. 300, 308, and vol. iii. p. 417. That which is given in Mansi, t. iv. pp. 477, sqq., under the title of *Concilium Africanum, tempore Bonifacii I. Cœlest. I.*, is only an imperfect copy of the *Codex Canonum Eccl. Afric.*

[2] See above, p. 390. [3] See above, p. 186. [4] See above, p. 390.

of Carthage in 397), the second from Can. 8 of the same Council.[1]

Can. 15 = Cans. 9, 10, 11 *ibid.*

Can. 16 = Cans. 15, 18, 22, and Can. 1 (of the second series) *ibid.*

Can. 17 = Can. 3 of the first series of the decrees of Hippo in 393.[2]

Can. 18 = Cans. 2, 4, 5 of the second series of the decrees of Hippo in 393.[3]

Can. 19 = Can. 6, 7 *ibid.*

Can. 20 = Can. 8 *ibid.*

Can. 21 = Can. 12 *ibid.*

Can. 22 = Can. 14 *ibid.*

Can. 23 = Can. 27 *ibid.*[4]

Can. 24 = Can. 36 *ibid.*

Can. 25 = Can. 4 of the Carthaginian Synod of Sept. 13, 401;[5] with the addition that sub-deacons as well as deacons were forbidden to have intercourse with their wives. The same canon is again mentioned as No. 70.

Can. 26 = Can. 5 of the Carthaginian Synod of the 13th September 401.

Can. 27 = Can. 12 *ibid.*

Can. 28 = Can. 17 of the Carthaginian Synod of 418[6] (No. 125 in the *Codex Canon.*), only with this difference, that in the sentence: "Non provocent ad transmarina judicia, sed ad primates suarum provinciarum, *aut ad universale concilium, sicut et de episcopis sæpe constitutum est,*" the words printed in italics do not emanate from the Synod of the year 418. It was precisely these words, however, that made this canon an apple of discord, for it was taken to mean that many old African Synods had already forbidden not only priests but also bishops to appeal to Rome. But as we find no trace of such a command concerning bishops in the old African Councils, the Ballerini are probably right in understanding the words in question thus: "Priests are forbidden to appeal to Rome; but they may from henceforth appeal first to the primates, and secondly to the General Council, as such an

[1] See above, p. 397. [2] See above, p. 396. [3] See above, p. 397.
[4] See above, p. 399. [5] See p. 424. [6] P. 461.

appeal to the General Council was formerly often granted to the bishops." On this view the canon does not in any way refer to the appeal of bishops to Rome.[1] This first division is followed by a second, containing only five canons, which probably emanate from the Synod assembled in 419 about the affair of Apiarius, and are not found in any of the older African Councils.

CAN. 29 is an imitation of the well-known fourth Antiochian canon, and runs thus: "A bishop or any other cleric who is excommunicated on account of an offence, and seeks to thrust himself again into communion without having been tried, has condemned himself."[2]

CAN. 30. If either accuser or accused fears any act of violence on the part of the people in the place where the accused resides, he may choose another neighbouring place for the trial, where the witnesses can come without difficulty.

CAN. 31. If a bishop deems it necessary to call deacons or inferior clergy to a higher office in his church, and they will not obey, they may no longer discharge their former duties.

CAN. 32. If bishops, priests, deacons, or any other of the clergy, who at the time of their ordination possessed no property, have since procured to themselves fields or land, they shall be regarded as robbers of Church property, if on being admonished they do not make over these possessions to the Church. If, however, property has come to them by inheritance, or by a gift, they may decide to do with it as they please (*faciant inde, quod eorum proposito congruit*). But if they afterwards alter their decision, they shall be deprived of their ecclesiastical dignity.[3]

CAN. 33. "Priests may not, without the knowledge of the

[1] Cf. Ballerin. edit. *S. Leonis M.* t. ii. pp. 966, sq. On the other hand, cf. Van Espen, *Commentar.* p. 321.

[2] The Antiochian Synod says: "is deposed" (καθαιρεῖται); but the Africans render it "excommunicatus fuerit." Cf. *supr.* p. 68.

[3] The meaning of the expression "propositum" is obscure, and therefore also the meaning of the last part of the canon. Hardouin, in the marginal note on this passage, t. i. p. 879, makes "propositum" identical with "vocatio, professio," which would give it the following meaning: "he must employ it in conformity with his clerical office." Van Espen (*Commentarius in Canones*, etc., p. 323), upon the authority of Balsamon and Zonaras, assigns another meaning to it, viz. "he can dispose of it as he likes; but if he has proposed ('propositum') to

bishop, sell any portion of the property of the Church to which they are appointed, as in like manner the bishops may not sell any Church property without the knowledge of the Council (Diocesan Synod) or their priests. Without necessity, therefore, no bishop may misemploy anything which is entered in the roll of the Church." [1]

After these five canons of its own the Synod repeated a great number of older canons, reaching to No. 127 of the *Codex*. First, between the numbers 33 and 34, are given the *proœmia* of the Synods of Hippo in 393, and of Carthage in 394, and of August 28, 397.[2]

Thus CAN. 34 is the beginning of Can. 5 of the Synod of Carthage of August 28, 397.[3]

CAN. 35 = Can. 13 of the Synod of Hippo in 393.[4]
CAN. 36 = Can. 17 *ibid.*
CAN. 37 = Can. 23 *ibid.*
CAN. 38 = Can. 24 *ibid.*
CAN. 39 = Can. 25 *ibid.*
CAN. 40 = Can. 26 *ibid.*
CAN. 41 = Can. 28 *ibid.*
CAN. 42 = Can. 29 *ibid.*
CAN. 43 = Can. 30 *ibid.*
CAN. 44 = Can. 31 *ibid.*
CAN. 45 = Cans. 32, 33 *ibid.*
CAN. 46 = end of Can. 36 *ibid.*
CAN. 47 from Can. 37 *ibid.*, and from Can. 1 of the Synod of Carthage of August 28, 397.[5]

employ a part of it for the Church or for the poor, and he alters his mind, he shall be deposed."

[1] In this canon also, the last sentence, "non habente ergo necessitatem, nec episcopo liceat matricis ecclesiæ rem tituli sui usurpare," is obscure. I follow Van Espen's interpretation (*l.c.* p. 324); but Fuchs (*Biblioth. der Kirchenvers.* vol. iii. p. 5) is of opinion that the text is corrupt, and should be corrected according to c. 10 of the Carthaginian Synod of 421 (see below, p. 480), which runs thus: "item placuit ut agri vel quæcunque prædia ecclesiæ in diœcesi constituta (perhaps constitutæ) fuerint derelicta, non ea matrici Ecclesiæ applicari usurpet episcopus;" *i.e.*, "that which is bequeathed to a country church in the diocese, the bishop may not, contrary to law, apply to the mother church" (his cathedral).

[2] Cf. pp. 395, 406. [3] See above, p. 408. [4] See above, p. 398.

[5] See pp. 407, sq.

Can. 48 from Can. 1 of the Synod of Carthage of August 28, 397.

Can. 49 = Can. 2 *ibid.*

Can. 50 = Can. 3 *ibid.*

Can. 51 = Can. 4 *ibid.* First part.

Can. 52 = Can. 4 *ibid.* Last part.

Can. 53 = Can. 5 *ibid.*, beginning at the second sentence. (The first sentence is contained above in No. 34.)

Can. 54 = Can. 6 *ibid.*

Can. 55 = Can. 7 *ibid.* First part.

Can. 56 = Can. 7 *ibid.* Second part.

Then follow the headings (*proœmia*) and short accounts of the Synods of Carthage of June 26, 397,[1] April 27, 399,[2] and June 15 (16), 401.[3] To these are added:

Can. 57 = Can. 1 of the Synod of Carthage of June 15 (16), 401.[4]

Can. 58 = Can. 2 *ibid.*

Can. 59 = Can. 3 *ibid.*

Can. 60 = Can. 4 *ibid.*

Can. 61 = Can. 5 *ibid.*

Can. 62 = Can. 6 *ibid.*

Can. 63 = Can. 7 *ibid.*

Can. 64 = Can. 8 *ibid.*

Can. 65 = Can. 9 *ibid.*

Before Can. 66 the Codex again gives a *proœmium*, that of the Synod of Carthage of September 13, 401,[5] followed by Canons 66 and 67 = Can. 1 of the Synod of Carthage of September 13, 401.[6]

Can. 68 = Can. 2 *ibid.*

Can. 69 = Can. 3 *ibid.*

Can. 70 = Can. 4 *ibid.*

Can. 71 = Can. 6 *ibid.*

Can. 72 = Can. 7 *ibid.*

Can. 73 = Can. 8 *ibid.*

Can. 74 = Can. 9 *ibid.*

Can. 75 = Can. 10 *ibid.*

Can. 76 = Can. 11 *ibid.*

[1] See above, p. 407. [2] See above, p. 418. [3] See above, p. 422.
[4] See above, p. 422. [5] See above, p. 423. [6] See above, p. 423.

CAN. 77 most likely formerly an appendix to Can. 11 *ibid.*[1]

CAN. 78 probably formerly an appendix to Can. 13 *ibid.*[2]

CAN. 79 = Can. 13 *ibid.*

CAN. 80 = Can. 14 *ibid.*

CAN. 81 = Can. 15 *ibid.*

CAN. 82 = Can. 16 *ibid.*

CAN. 83 = Can. 17 *ibid.*

CAN. 84 = Can. 18 *ibid.*

CAN. 85 = Can. 19 *ibid.*

Between Canons 85 and 86 we find the *proœmium* of the Synod of Mileve of August 27, 402,[3] and then follow:

CAN. 86 = Can. 1 of the Synod of Mileve.

CAN. 87, 88 = Can. 2 *ibid.*

CAN. 89 = Can. 3 *ibid.*

CAN. 90 = Can. 4 *ibid.*

The next *proœmium*, and the propositions of several bishops connected with it, belong to the Synod of Carthage of August 25, 403,[4] and also the two following canons:—

CAN. 91 = Can. 1 of the Synod of Carthage; and

CAN. 92 = Can. 2 *ibid.*

Then follows the *proœmium* of the Synod of Carthage of June 404,[5] and

CAN. 93, containing the instructions for the deputies sent by that Synod to the Emperor.

The new *proœmium* and CAN. 94 are taken from the Synod of Carthage of August 23, 405.[6] To this again is added the *proœmium* of the Synod of Carthage of June 13, 407,[7] and the following canons taken from the same Council:—

CAN. 95 = Can. 1 of the Synod of Carthage of 407.[8]

CAN. 96 = Can. 2 *ibid.*

CAN. 97 = Can. 3 *ibid.*

CAN. 98 = Can. 4 *ibid.*

CAN. 99 = Can. 5 *ibid.*

CAN. 100 = Can. 6.[9]

CAN. 101 = Can. 7 *ibid.*

[1] Cf. above, p. 424. [2] Cf. above, p. 424. [3] Cf. above, p. 427.
[4] Cf. above, p. 439. [5] Cf. above, p. 440. [6] See above, p. 441.
[7] See above, p. 442. [8] See above, p. 442. [9] See above, p. 442.

Can. 102 = Can. 8 *ibid.*
Can. 103 = Can. 9 *ibid.*
Can. 104 = Can. 10 *ibid.*
Can. 105 = Can. 11 *ibid.*
Can. 106 = Can. 12 *ibid.*

Further on we meet with the *proœmia* of the two Synods of Carthage, of June 16 and October 13, 408.[1]

In Can. 107, and immediately following it, the *proœmia* of the Synods of Carthage of June 15, 409, and June 14, 410;[2] and in

Can. 108, the *proœmium* of the Synod of Carthage of May 1, 418,[3] to which are added—

Can. 109 = Can. 1 of the Synod of Carthage of 418.[4]
Can. 110 = Can. 2 *ibid.*
Can. 111 = Can. 3.[5]
Can. 112 = Can. 4 *ibid.*
Can. 113 = Can. 5 *ibid.*
Can. 114 = Can. 6 *ibid.*
Can. 115 = Can. 7 *ibid.*
Can. 116 = Can. 8 *ibid.*
Can. 117 = Can. 9.[6]
Can. 118 = Can. 10 *ibid.*
Can. 119 = Can. 11 *ibid.*
Can. 120 = Can. 12 *ibid.*
Can. 121 = Can. 13 *ibid.*
Can. 122 = Can. 14 *ibid.*
Can. 123 = Can. 15 *ibid.*
Can. 124 = Can. 16 *ibid.*
Can. 125 = Can. 17 *ibid.*
Can. 126 = Can. 18 *ibid.*
Can. 127 = Can. 19 *ibid.*

This much was done by the Synod of Carthage of 419, in its first session, on the 25th May. On the 30th May, however, in the same year it assembled for the second time, and laid down a few more rules, which form the continuation of the African *Codex*. The *proœmium* of this new session is to be found between Canons 127 and 128; and we learn from

[1] See above, p. 444. [2] See above, p. 444. [3] See above, p. 453.
[4] See above, p. 458. [5] See above, p. 459. [6] See above, p. 460.

it that many of the 217 bishops who had been present at the former session announced that they could now no longer remain, and received permission from the Synod to return to their Churches. But the bishops of each province had to choose deputies, who were obliged to remain. In their presence the following decrees were enacted :—

CAN. 128. "As former synods have already discussed the point as to who may bring a charge against an ecclesiastic, we order that no excommunicated person, whether clerical or lay, shall be allowed to make such an accusation."

CAN. 129. "Neither may slaves nor freedmen come forward as accusers, nor any who on account of public offences are by law excluded from bringing an accusation, nor any who bear any mark of infamy, *i.e.* actors or persons on whom any other stigma rests, nor heretics, heathens, or Jews. But in their own cause (*i.e.* if they have themselves been injured by a clergyman) they may come forward as accusers."

CAN. 130. "If any one, having brought several accusations against an ecclesiastic, cannot prove one of the first, he shall not be allowed to proceed to the proof of the rest."

CAN. 131. "Those who are disqualified from bringing forward charges cannot act as witnesses, as neither may those whom the accuser brings with him from his own house. No one under thirteen years of age may be a witness."

CAN. 132. "If a bishop says that some one has confessed a certain crime to him privately, and the person denies it, and will perform no penance, the bishop shall not consider it an insult if his word alone is not believed, even though he says that his conscience will not allow him any longer to hold communion with such a liar."

CAN. 133. "If, nevertheless, the bishop excommunicates such an one, so long as he maintains this excommunication the other bishops shall hold no communion with him (the bishop), in order that all bishops may be careful not to make any statements against a person which they cannot prove."

Aurelius then closed the Synod with a short address, and signed the Acts, together with Valentinus the Primate of Numidia, Faustinus the papal legate, Alypius of Tagaste, Augustine and Possidius of Calama, the deputies of the pro-

vince of Numidia, eighteen other bishops, and the two Roman priests Philip and Asellus.[1]

Sec. 122. *Continuation of the Controversy concerning Appeals to Rome.*

The African bishops at this Synod, moreover, addressed a Synodal Letter to Pope Boniface, to the effect that "they desired to inform him of what had been decided with the consent of the Synod and of the Papal legates, and which would have rejoiced Zosimus, were he still living.[2] Apiarius had asked forgiveness for his fault, and had been again received into communion. Even before this, Bishop Urban of Sicca had, without hesitation, complied with the demands of the Pope. In order, however, to avoid all strife for the future, it had been decided that Apiarius, while still retaining his priestly rank, should be dismissed from the Church at Sicca; but he had received a letter to the effect that he might exercise his priestly office wherever he desired or could do so. Before this affair was thus settled, they had after a wearisome discussion requested the Roman legates to produce their instructions in writing, which they had done, and had read aloud their *commonitorium*, directing them to treat with the Africans on four points:—

1. Concerning the appeal of bishops to Rome.
2. Concerning the too frequent journeys of bishops to the Court.
3. Concerning the appeal to neighbouring bishops of priests and deacons excommunicated by their own bishops.
4. Concerning Urban, Bishop of Sicca, and his excommunication or citation to Rome, in case he did not retract it.

With regard to the first and third points, they had already the year before declared to Pope Zosimus their readiness to

[1] Mansi, t. iii. pp. 827, sqq., t. iv. pp. 435, sqq.; Hard. t. i. pp. 938, sqq. This document, moreover, was drawn up in the names of all the 217 bishops who were present at the first session, and were now represented by the deputies.

[2] That this was issued on the day after the second session, viz. on the 31st May 419, appears from the words of Archbishop Aurelius in canon 133 of the Codex: "Die sequenti . . . venerabili fratri et coëpiscopo nostro Bonifacio rescribemus."

observe them until a fuller examination of the Nicene Acts had been made. They would now declare the same to Pope Boniface, and he should take care that in Africa, and also in Italy, the two canons (supposed to be Nicene, but in reality those of Sardica) concerning the appeal of bishops and priests[1] were observed. They had, in the meantime, caused them to be inserted in the Acts until they should receive genuine copies of the Acts of the Nicene Council. But if they were found to be contained there in the same form as in the *commonitorium*, still no one would desire to impose so heavy a burden upon the Africans, and they were firmly persuaded that as long as Boniface was Pope, they would not be treated with such arrogance. But they had not found these canons in any copy of the Nicene Acts, nor in any Greek or Latin codex, and they had therefore decided to send for exact copies from the East. The Pope might do the same, and might write with this object to Antioch, Alexandria, Constantinople, or wherever he pleased. Until these genuine copies should arrive, they promised faithfully to observe the two canons. The legates would inform the Pope of the other decisions of the Synod."[2]

The Africans addressed another letter to S. Cyril of Alexandria, and through the priest Innocent begged him for a faithful copy of the decrees of Nicæa. Cyril at once granted their request, as his short letter on this subject, still extant, testifies, which at the same time, in reply to the Africans, states that next Easter would fall on the 15th of April.[3]

We also possess a similar letter from Bishop Atticus of Constantinople, who likewise sent the Africans a copy of the Nicene Acts,[4]

[1] See above, p. 464.

[2] Mansi, t. iii. pp. 830, sq.; Hard. t. i. pp. 939, sqq.; translated in Fuchs, *Biblioth. der Kirchenvers.* vol. iii. pp. 404, sqq.

[3] In Mansi, t. iii. p. 835; Hard. t. i. p. 946. According to the right way of reckoning, however, Easter in 420 fell on the 18th April.

[4] Mansi, t. iii. p. 838; Hard. t. i. p. 946. According to an old account in Mansi (t. iv. p. 434), Bishop Atticus had also written to Pope Boniface, but the Ballerini (*l.c.* t. iii. p. cii.) reject this. On the occasion of his answer to the Africans, Atticus is also said to have made a declaration concerning the form of the *litteræ formatæ*, supposed to have been prescribed at Nicæa, printed in Mansi, *l.c.*, and still better in the Ballerini, *l.c.* pp. 452, sqq.

and on the 26th November 419 they sent these copies to Pope Boniface.[1]

Sec. 123. *Synods at Ravenna, Corinth, and Seleucia.*

About the same time, or somewhat earlier, an assembly of bishops took place at Ravenna, which, without forming an actual synod, was, by command of the Emperor Honorius, to decide the disputed papal election between Boniface and Eulalius. They could not, however, come to any agreement, and therefore left the decision to the Emperor.[2]

Another synod took place in the same year, 419, at Corinth, concerning the election of Perigenes as archbishop of that city.[3] Perigenes had been appointed Bishop of Patras by his metropolitan the Archbishop of Corinth. As the inhabitants of Patras would not receive him, he returned to Corinth, and at the death of the metropolitan was himself raised to the archiepiscopal See. The Council of Corinth confirmed this election, and Pope Boniface I. also sanctioned it, in virtue of his supreme right over the Illyrian provinces. Many bishops, however, were dissatisfied, and maintained that it was unlawful to translate a bishop to another See; and they complained to Archbishop Rufus of Thessalonica (the Papal vicar), and to Pope Boniface I. himself, and when this was of no avail, wished to hold a synod against Perigenes at Thessalonica. To this, however, Pope Boniface objected most strongly, because the Illyrian bishops might not assemble without their superior, the Archbishop of Thessalonica, and because a papal decision might not be again submitted to the decision of a synod. The documents relating to this affair were read again more than a hundred years afterwards at the third Roman Synod under Boniface II. in 531.[4]

A third Synod was held at Seleucia-Ctesiphon in Persia, in 420, which occupied itself with the confirmation of earlier

[1] Of these, the creed of Nicæa is still preserved, but not the canons, in Mansi, t. iii. pp. 835, 838; and Hard. *l.c.*

[2] Baronius, ad ann. 419, n. 14, sqq., and after him Mansi, t. iv. pp. 399, sqq., gave a short account of this from a Vatican Codex.

[3] Mansi, t. iv. p. 435. Cf. Hergenröther, *Photius*, vol. i. p. 47.

[4] Mansi, t. viii. pp. 752, sqq.

canons, so that, like the Synod of Carthage of 419, it led to the making of a whole collection of canons, which are still in use in the East.[1]

Sec. 124. *The Synods at Carthage, in Numidia, Cilicia, and Antioch.*

On the 13th June of the following year, 421, a synod again assembled at Carthage under Archbishop Aurelius, designated by the Ballerini as the eighteenth, which drew up ten canons still extant, or, properly speaking, renewed earlier ones, as follows:[2]—

Can. 1. "If an excommunicated bishop or cleric, while still under sentence, pretends to communion, he has condemned himself."[3]

Can. 2 = Can. 30 in the African *Codex*.[4]

Can. 3 = Can. 31 *ibid.*

Can. 4. "If bishops or priests give away any of the property of their Church to another place, the bishops shall give account of it to the synods, and the clergy to the bishops. If they can give no reason, they shall be treated as thieves."

Can. 5 = Can. 32 in the African *Codex*, the fourth of the Synod of Carthage of May 25, 419.[5]

Can. 6 = Cans. 128, 129 in the African *Codex*, the first and second canons of the Synod of Carthage of May 30, 419.[6]

Can. 7 = Cans. 130, 131 in the African *Codex*, *i.e.* Cans. 3 and 4 of the same Synod of Carthage.

Can. 8 = Can. 132 in the African *Codex*, Can. 5 of the above-mentioned Synod.

Can. 9, similar to the first part of Can. 33 in the African *Codex*, *i.e.* Can. 5 of the Synod of Carthage,[7] with this difference only, that here it runs: "the bishop may not sell any Church property without the knowledge of the synod or of the

[1] A short account of this Synod is given in Mansi, t. iv. p. 441, from Assemani's *Biblioth. Orient.* t. ii. p. 507, and t. iii. p. 374.

[2] Mansi, t. iv. pp. 449, sqq.; Hard. t. i. pp. 879, 935, sq.; translated in Fuchs, *l.c.* p. 431, sq.; cf. Baller. edit. *Opp. S. Leonis M.* t. iii. p. ciii.

[3] Cf. canon 29 in the *Codex Can. Eccl. Afric.*, which is the first original canon of the Synod of Carthage of May 25, 419. See p. 470.

[4] See above, p. 470. [5] *Ibid.* [6] See above, p. 475. [7] See above, p. 471.

primates." The text of the earlier Synod of 419 has "priests" instead of "primates."

CAN. 10, similar to the last part of Can. 33 in the *Codex*.[1]

Two years afterwards, in 423, we meet with a Numidian Synod, which deposed the wicked Bishop Anton of Fussala, and also one in Cilicia against the Pelagian Julian. We have, however, no accurate accounts of either Synod. This is also the case with a Synod at Antioch in 424, which banished Pelagius from that city.[2]

SEC. 125. *Fresh Synod at Carthage (the twentieth) concerning Appeals.*

In the same year, 424, a Synod (the twentieth) at Carthage again took into consideration the affair of Apiarius and the appeal to Rome,[3] and issued a Synodal Letter to Celestine I., to the effect that "Apiarius had demanded a fresh investigation, at which shocking actions committed by him had come to light. The Papal legate Faustinus had, notwithstanding this, in a very rude manner demanded that the Africans should receive him into their communion, because he had appealed to the Pope, and had been received into communion by him. But this was precisely what should not have been done. Apiarius had at last himself confessed all his crimes. They begged that the Pope would in future lend no such willing ear to those who came to Rome from Africa as he had to Apiarius, nor receive into communion excommunicated persons, whether bishops or priests, according to the order given by the Council of Nicæa in its fifth canon, which applies to bishops also. The receiving of appeals at Rome was an attack upon the rights of the African Church, and what was alleged in its favour as a Nicene rule was not Nicene, and could not be found in the genuine copies of the Acts of Nicæa, which had been obtained from Constantinople and

[1] See above, p. 471. [2] Mansi, t. iv. pp. 474, 475 (not found in Hardouin).

[3] It appears that some time earlier another Carthaginian Synod (the nineteenth) had been held, which was mentioned at the Council of Carthage of 525. Cf. Ballerini, *l.c.* p. ciii., n. 2. The twentieth Synod of Carthage is also mentioned by them, p. civ., n. 3.

Alexandria. They requested the Pope in future to send no more judges to Africa; and, as Apiarius had now been excommunicated for his offences, the Pope would surely not expect the African Church any longer to endure the insolence of the legate Faustinus. They prayed that God would long preserve the Pope, and that he would pray for the Africans."[1]

Sec. 126. *Synod against Leporius, and smaller Synods.*

A new Synod at Carthage, about 426,[2] was occasioned by the monk Leporius of Marseilles, who combined with his Pelagian errors those of the Nestorians (before Nestorius), and had therefore been banished from Gaul, but was converted in Africa by Aurelius and Augustine, and now laid before the Synod of Carthage a written confession, retracting his former errors. This the Synod sent, with an accompanying letter, to the bishops of Gaul.[3]

In it Leporius says that he acknowledges his error, but that he had not knowingly offended, but had believed his error to be the simple truth. He had not denied that Christ, the Son of God, was born of Mary; but in order not to humanize the Divine, he had not wished absolutely to say, "God Himself is born of Mary," but rather, "with God the perfect man is born of Mary." He had ascribed *seorsum quæ Dei sunt soli Deo*, and *seorsum quæ sunt hominis soli homini* (thus avoiding the *communicatio idiomatum*), and had therefore plainly introduced a fourth Person into the Trinity. To Christ (the Man) he had referred all labour, all devotion, all merit, faith, etc., because all this did not befit God; had maintained that Christ had gone through all His sufferings as perfect Man, in no way supported by His Godhead, and that in proof of this He had cried: "My God, my God, why hast Thou forsaken Me?" He, Leporius, had also maintained that Christ, as man, was ignorant of the day of judgment, and of other things. All which Leporius here recounts as constituting his former errors, and

[1] Mansi, t. iii. pp. 839, sqq.; t. iv. p. 515; Hard. t. i. pp. 947, sqq.

[2] As to the date, cf. Mansi, t. iv. p. 517.

[3] This written confession and the accompanying letter are printed in Mansi, t. iv. pp. 518, sqq.; and Hard. t. i. pp. 1261, sqq.

retracts, is plainly not Pelagianism but Nestorianism, or in the spirit of Theodore of Mopsuestia, as Neander has very justly remarked.[1] Neither in the positive confession of faith which Leporius now laid down is there anything concerning the doctrine of grace; but Cassian and Gennadius, who are certainly competent judges in the matter, so distinctly designate Leporius as a Pelagian, that we must presume that he united Pelagian with Nestorian errors.

The remainder of what is entered in the Collections of Councils, under the title of Acts of African Synods of this period, is only a part, about three-quarters, of the African *Codex*.[2] Only at Hippo, in 426, a sort of Synod was held, viz. an assembly of several bishops, in order to give S. Augustine a coadjutor in the person of the priest Heraclius.[3]

Also in 426 a Synod was held at Constantinople, by command of the Emperor Theodosius II., partly on account of the elevation of Sisinnius to the Patriarchal See of that city, and partly for the purpose of condemning the Massalian error.[4] We now only possess a fragment of this Synodal Letter.[5] With regard to a great Gallican Synod, held in 429, on account of Pelagianism, probably at Troyes,[6] and which requested the Bishops Germanus of Auxerre and Lupus of Troyes to visit England about this matter,[7] no documents, but only some private reports, have come down to us.

Here then ends the series of Synods preceding the conflict concerning Christology, which lasted for two centuries, and gave occasion again to a great number of new and highly important Councils.[8]

[1] Neander, *Kirchengesch.* ii. 2, p. 1119. [Eng. trans. vol. iv. pp. 332, 333.]
[2] Mansi, t. iv. pp. 477–518. [3] Mansi, t. iv. p. 538.
[4] [The Massalians were also called Euchites, from their view that prayer is the only means of grace, and Enthusiasts, from their extravagances. These sectaries arose in the fourth century, and were first condemned at the Synod of Sida in 383 (cf. *supr.* p. 389), and finally at the Council of Ephesus in 431. They reappeared, however, in the twelfth century, when, like the Albigenses and other mediæval sects, they reproduced a form of Manichean error.]
[5] Mansi, t. iv. p. 542. [6] As to the date, cf. Mansi, t. iv. p. 546.
[7] Mansi, t. iv. pp. 543, sqq.
[8] [The controversies on the Incarnation, here referred to, extend over the third, fourth, fifth, and sixth Œcumenical Councils, closing with the condemnation of the Monotholite heresy, at the Third of Constantinople, in 680.]

APPENDIX.

NOTE ON THE FALL OF POPE LIBERIUS.

THE following is the note referred to at p. 246, taken from Mr. P. Le Page Renouf's treatise on the *Condemnation of Pope Honorius* (Longmans, 1868), pp. 41, sqq., and which is here reprinted with his sanction. It will be seen that Mr. Renouf's opinion differs from our Author's in some important details of historical criticism, and especially as regards the genuineness of the disputed Fragments of S. Hilary. The closing paragraph, which discusses the official or *ex cathedra* character of the act of Liberius, has been purposely omitted, as dealing with a question Bishop Hefele does not touch upon, and which it would therefore be out of place to introduce here.

"The history of Arianism is full of historical and chronological difficulties, and those connected with the case of Pope Liberius are quite sufficient to have furnished opportunities to his apologists of extenuating, and even utterly denying, his fall. But although the precise details cannot be discovered from the evidence now existing, there is, on the other hand, very positive evidence that the Pope officially subscribed a heterodox creed; that he signed the condemnation of S. Athanasius; and that he entered into communion with the Arian leaders, and admitted their orthodoxy. All this is explicitly stated in the letters of Liberius himself; but before quoting them, I shall speak of the other evidence.

"S. Athanasius, in his Arian Hist., sec. 41, says: 'Liberius, after he had been in banishment two years, gave way, and from fear of threatened death was induced to subscribe.'

And in his Apology against the Arians, sec. 89, Liberius 'did not endure to the end the sufferings of banishment, but yet stood out two years in exile.' Although Athanasius speaks with most noble tenderness of the fall both of Liberius and of Hosius, he has himself quoted the memorable words of Constantius: 'Be persuaded, and subscribe against Athanasius; for whoever subscribes against him, thereby embraces with us the Arian cause.'

"S. Hilary of Poitiers says (Fragm. 6) that the Sirmian Creed signed by Liberius was the 'perfidia Ariana' (that is the *second* Sirmian,[1] a thoroughly Arian confession), and for this he anathematizes him over and over again: 'Iterum tibi anathema et tertio, prævaricator Liberi!' In his letter to Constantius (c. 11), S. Hilary says: 'Nescio utrum majori impietate relegaveris quam remiseris.'

"The meaning of these words of S. Hilary are clear enough. But the best commentary upon them is to be found in the statement of Faustinus and Marcellinus, contemporaries of Liberius, that when Constantius was petitioned by the Romans for the restoration of the Pope, he answered, 'Habetis Liberium, qui qualis a vobis profectus est melior revertetur.' They add: 'Hoc autem de consensu ejus quo manus *perfidiæ* dederat indicabat.'

"The Arian historian Philostorgius (*Epit.* iv. 3) says that Liberius and Hosius wrote openly against the term 'consubstantial,' and against Athanasius himself when a synod had been convened at Sirmium, and had brought over the aforementioned prelates to its own opinion. The synod here mentioned is intended (rightly or wrongly) for the second Sirmian.

[1] One of the principal historical difficulties of the question lies in the contradiction between these words of S. Hilary, and a note, giving the names of the authors of the confession. I do not believe S. Hilary to be the author of this note. He would not have called the *first* Sirmian confession the "perfidiæ Ariana." Nor would the Emperor have been satisfied with a subscription to the first Sirmian, which was already obsolete. Petavius (*Animad. in Epiphan.* p. 316) says, "Hoc *certissimum est* neque priori illi contra Photinum editæ subscripsisse, et si ex tribus Sirmiensibus aliquam admiserit, non aliam quam secundam, cui et Osius assensus est comprobasse." That Liberius did sign one of them, seems to be not less manifest from the evidence.

"Sozomen (*Hist.* iv. 15) says that Constantius, having summoned Liberius to Sirmium from Berœa, forced him (*ἐβιάζετο αὐτόν*), in presence of the deputies of the Eastern bishops, and of the other priests at the Court, to confess that the Son is not consubstantial with the Father. He adds that Liberius and other bishops were persuaded to assent to a document drawn up by Basil, Eustathius, and Eleusius. This document must have identified the 'One in Substance' with the doctrine of Paul of Samosata.

"S. Jerome, in his Chronicle, says that 'Liberius tædio victus exsilii, et *in hæreticam pravitatem subscribens* Romam quasi victor intravit.' And in his *Liber de Viris Illustribus* (c. 97), he says that Fortunatianus, bishop of Aquileia, 'in hoc habetur detestabilis quod Liberium, Romanæ urbis episcopum . . . primus sollicitavit ac fregit, et ad *subscriptionem hæreseos* compulit.' The words of Jerome are repeated by many ecclesiastical authors.

"The fall of Liberius is related by more recent writers, and sometimes even grossly exaggerated in consequence of the fables current about the anti-Pope Felix, who, although intruded into the Holy See by the Arians, was for many centuries held as a saint, and is probably still so held by many, on the authority of Benedict XIV. The *Liber Pontificalis* represents Felix as having been canonically elected Pope with the consent of Liberius, when the latter went into exile for the faith, and as having suffered martyrdom when Liberius returned from exile, after having consented to the heresy of Constantius.

"Auxilius, a Roman priest (*De Ordin. a Formoso factis*, i. 25), says: 'Quis nesciat quod Liberius, heu proh dolor! Arianæ hæresi subscripserit et per ejus transgressionem nefandissima scelera sint commissa.'

"Without accumulating an immense mass of similar evidence, it will be sufficient to say that till the sixteenth century the fall of Liberius was accepted as one of the simply indisputable facts of Church history. The Acts of S. Eusebius of Rome were considered authentic, and they represent the saint as a victim of the heretical Pope whose communion he called upon every one to avoid.

"Bede's Martyrology (19 Kal. Sept.), and that of Rabanus Maurus says: 'Natale Sancti Eusebii . . . qui sub Constantio Imperatore Ariano, machinante Liberio præsule, *similiter hæretico*, confessionem suam complevit.' The Martyrology of Ado (14 Aug.) speaks of S. Eusebius, 'qui præsente Constantio, cum fidem Catholicam constantissime defenderet et Liberium Papam doleret *Arianæ perfidiæ consensisse*,' etc. These words occur in other mediæval martyrologies, and they were formerly in the Roman Breviary, from which they were only struck out in the sixteenth century.

"Of all the early testimonies which have been quoted, that of the Fragments of S. Hilary is the only one about which an honest doubt can be entertained. I have myself not the least doubt about it. Its genuineness is admitted by every critic of authority except Hefele, who also doubts the genuineness of certain epistles of Liberius, in the midst of which the words of Hilary occur as indignant interpolations. But there is even less reason for a doubt about the letters of Liberius; and Hefele's arguments against them are exceedingly weak. The letters, like most other documents of the Arian controversy, contain historical difficulties which may not be easy to explain, particularly if a history like that of Dr. Hefele has been written without regard to them; but the question of style is quite out of place here. Popes, as we have seen in the history of Honorius, do not always write the letters for which they are responsible. Liberius may not have been the real author of the letter to Constantius which he admires, any more than of those letters which he considers unworthy of a pope. The conversation of Liberius with the Emperor in Theodoret's history, to which Dr. Hefele refers, is probably not more authentic than the speeches in Livy; and a discourse of Liberius, in S. Ambrose's works, has always been considered as thrown by S. Ambrose into his own language. The great Protestant critics admit the genuineness of the epistles in question; and among Catholic authorities[1] Dr.

[1] Among these I do not reckon Stilting, the Bollandist, whose article on Liberius I consider one of the most mischievous productions ever written. It is, no doubt, extremely able; but it has no more solid value than Whately's *Historic Doubts*, and it is calculated to impose upon precisely those who have

Hefele stands alone in opposition to Natalis Alexander, Tillemont, Fleury, Dupin, Ceillier, Montfaucon, Coustant, Möhler, Döllinger, and Newman.

"The first of these letters is addressed to the Eastern bishops, and informs them of the Pope's consent to the just condemnation of Athanasius ('amoto Athanasio a communione omnium nostrum'). It announces his acceptance of their confession drawn up at Sirmium, and proposed to him by the Arian bishop Demophilus. 'Hanc ego libenti animo suscepi, in nullo contradixi, consensum accommodavi, hanc sequor, hæc a me tenetur.' And it adds: 'Jam pervidetis *in omnibus* me vobis consentaneum esse.' A second letter is written to the Arian chiefs Ursacius, Valens, and Germinius, as being children of peace who love the concord and unity of the Catholic Church, to tell them that Athanasius had been condemned by him and 'separated from the communion of the Roman Church, as all the Roman clergy can bear witness.' He wishes them to inform their brethren Epictetus and Auxentius, Arian bishops, 'pacem me et communionem ecclesiasticum cum ipsis habere.' Liberius concludes: 'Quicumque autem a pace et concordia nostra quæ per orbem terrarum, volente Deo, formata est, dissenserit, sciat se separatum esse a nostra communione.'

"A third letter, addressed to Vincent of Capua, who had formerly been the legate of Liberius, but had already in the year 352 signed the condemnation of Athanasius, is written in the same sense.

"Now, even if these letters were undoubtedly spurious, it would be idle to oppose the *silence* of Socrates and Theodoret to the positive testimonies of Athanasius, Faustinus, and Jerome. 'Athanasius, Hilarius, et Hieronymus,' says Bellarmine, who is certainly not a prejudiced judge in this matter, 'rem non ut dubiam sed ut certam et exploratam narrant.' Theodoret, it is argued, never speaks of Liberius but as of a glorious confessor for the faith. But the same argu-

no notion of the difference between sophistical subtlety and accurate reasoning, Pyrrhonism and sound criticism. It will be time to consider its arguments when they have convinced a single impartial Protestant, like Gieseler or Neander, or a learned Jew, like the editor of the *Regesta*.

ment would hold good with reference to Hosius, about whose fall no one can possibly entertain a doubt. The conduct of Liberius after the Council of Ariminum rehabilitated him in the esteem of the orthodox; and Theodoret, no doubt, knew the whole truth, though he was unwilling to publish it.

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